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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

40° VICTORIÆ, 1877.

VOL. CCXXXII.

COMPRISING THE PERIOD FROM

THE EIGHTH DAY OF FEBRUARY 1877,

TO

THE FIFTEENTH DAY OF MARCH 1877.

First Volume of the Session.

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Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, viewing with alarm the financial deficits in our Indian Administration during the last ten years and the constant additions made to the debt of India during that period, is of opinion that no new public work should be undertaken which would necessitate the raising of fresh Loans either in India or in England; and that, in order to place the finances of India on a satisfactory basis, the distinction which is now made between Ordinary and Extraordinary Expenditure should be discontinued,"—(*Mr. Smollett*,)—instead thereof.

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 123, Noes 173; Majority 50.—(Div. List, No. 2.)

Question put, and *negatived.*

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Moved, "That the Debate be now adjourned,"—(*Captain Nolan*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed.

Amendment proposed, in line 1, to leave out the words, "except for a Money Bill,"—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—Amendment, by leave, *withdrawn.*

Amendment proposed,

At the end of the Question to add the words "and that the same rule shall be adopted on Wednesdays after a quarter to Six of the clock, and on other days, when the House meets at Two of the clock p.m., after ten minutes to Seven of the clock,"—(*Mr. Dillwyn.*)

Question put, "That those words be there added:"—The House *divided;* Ayes 32, Noes 185; Majority 153.—(Div. List, No. 3.)

Main Question put:—The House *divided;* Ayes 185, Noes 23; Majority 162.—(Div. List, No. 4.)

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Moved, "That the Bill be now read a second time,"—(*Mr. Meldon*) .. 337

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Bill read a second time, and *committed* for *Monday* next.

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Moved, "That the Debate be now adjourned,"—(*Mr. Goldsmid*:)—Question put:—The House *divided*; Ayes 9, Noes 64; Majority 55.—(Div. List, No. 5.)

Question again proposed, "That the Bill be now read a second time:"—*Moved*, "That this House do now adjourn,"—(*Mr. Parnell*:)—Question put:—The House *divided*; Ayes 7, Noes 66; Majority 59.—(Div. List, No. 6.)

Question again proposed, "That the Bill be now read a second time."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Monk*.)

Question proposed, "That the word 'now' stand part of the Question:"—Amendment, by leave, *withdrawn*.

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Moved, "That the Bill be now read a second time,"—(*Mr. Chaplin*) .. 341

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 28th February.

Irish Church Acts Amendment Bill [Bill 48]—

Moved, "That the Bill be now read a second time,"—(*Mr. Parnell*) .. 346

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Macartney*.)

After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 110, Noes 150; Majority 40.—(Div. List, No. 7.)

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After short debate, Bill read a second time, and *committed* for *Thursday*.

City Companies (Oaths by Freemen)—Motion for a Return—

Moved, "That there be laid before this House, a Return of all Oaths or Declarations made by the Master, Assistants, Freemen, Clerk, or other Officer, on assumption of office in each of the eighty-nine Companies mentioned in the Second Report of the Municipal Commissioners, 1837,"—(*Mr. James*) 632

After short debate, Question put:—The House *divided*; Ayes 80, Noes 43; Majority 37.—(Div. List, No. 10.)

Cruelty to Animals—Motion for an Address—

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, a Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying,—

"1. The persons to whom such Licences have been granted since the Act came in force;

"2. The Licences in which the (optional) provision (Clause 7), requiring that the place wherein the experiment is performed shall be registered, has been inserted;

"3. The Certificates which have been received under Clause 3, permitting experiments as illustrations of lectures to students;

"4. The Certificates which have been received under Clause 5, permitting experiments on cats, dogs, horses, mules, or asses;

"5. The Certificates (special) which have been received for performing experiments without anæsthetics, and the number of such experiments in which curare has been employed;

"6. The scientific authorities who have in each case granted such Certificates,"—(*Mr. Mundella*) 633

After short debate, Motion, by leave, *withdrawn*:—Then

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"Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying,—

"1. The number of persons to whom such Licences have been granted since the Act came in force, and the names of all registered places;

"2. The number of Licences in which the (optional) provision (Clause 7), requiring that the place wherein the experiment is performed shall be registered, has been inserted;

"3. The number of Certificates which have been received under Clause 3, permitting experiments as illustrations of lectures to students;

"4. The number of Certificates which have been received under Clause 5, permitting experiments on cats, dogs, horses, mules, or asses;

"5. The number of Certificates (special) which have been received for performing experiments without anæsthetics, and the number of such experiments in which curare has been employed;

"6. The scientific authorities who have in each case granted such Certificates,"—(*Mr. Mundella.*)

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Vaccination Law (Penalties) Bill—*Ordered* (*Mr. Pease, Mr. James, Mr. Mundella, Mr. Leeman*); *presented*, and read the first time [Bill 97] 797

Railway Passengers Protection Bill—*Ordered* (*Mr. H. B. Sheridan, Mr. Ashbury, Mr. Thomas Cave, Mr. Anderson, Mr. Gourley*); *presented*, and read the first time [Bill 98] 797

High Court of Justice (Costs) Bill—*Ordered* (*Sir Henry Jackson, Mr. Leeman, Mr. Alfred Marten*); *presented*, and read the first time [Bill 99] 797

LORDS, THURSDAY, FEBRUARY 22.

TURKEY—PERSONAL EXPLANATIONS—Observations, The Earl of Rosebery, Earl Granville; Replies, The Earl of Beaconsfield, The Earl of Derby 797

THE COLORADO OR POTATO BEETLE—Question, Observations, Lord Stanley of Alderley; Reply, The Earl of Carnarvon 806

OUTBREAK OF CATTLE PLAGUE—Question, Observations, Earl Fortescue; Reply, The Duke of Richmond and Gordon:—Short debate thereon .. 807

COMMONS, THURSDAY, FEBRUARY 22.

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Metropolitan Street Improvements Bill (by Order)—
Moved, "That the Bill be now read a second time,"—(*Sir James Hogg*) .. 817
After short debate, Motion *agreed to*:—Bill read a second time, and *committed*.

POST OFFICE—POSTAL RATES TO INDIA—Question, Mr. Potter; Answer, Lord John Manners 823
CATTLE DISEASE, IRELAND—ORDER IN COUNCIL—ILLICIT DISTILLATION—Question, Mr. Herbert; Answer, Sir Michael Hicks-Beach .. 824
TURKEY—BRITISH CONSULAR POSTS—Questions, Mr. J. Holms, Mr. Gladstone; Answers, Mr. Gathorne Hardy 824
METROPOLIS—HOLBORN IMPROVEMENT SCHEME—Question, Mr. Kay-Shuttleworth; Answer, Sir James Hogg 825
CONSTABULARY, IRELAND—CASE OF CONSTABLE MALONEY—Question, Dr. Ward; Answer, Sir Michael Hicks-Beach 826
ADMIRALTY JURISDICTION (IRELAND) ACT, 1876—THE RULES AND ORDERS—Question, Mr. M'Carthy Downing; Answer, Sir Michael Hicks-Beach 827
ARMY—THE AUXILIARY FORCES—GALWAY ARTILLERY REGIMENT—Question, Mr. Morris; Answer, Mr. Gathorne Hardy 828
POOR LAW UNIONS, IRELAND—Question, Mr. Morris; Answer, Sir Michael Hicks-Beach 828
CATTLE PLAGUE—Questions, Sir Walter Barttelot, Mr. W. E. Forster; Answers, Viscount Sandon 828
TURKEY — BULGARIAN ATROCITIES — SHEFKET PASHA — Question, Mr. Rylands; Answer, Mr. Bourke 830
NAVY—BOYS, IRELAND—Question, Mr. M'Carthy Downing; Answer, Mr. Hunt 831
CENTRAL ASIA—KHELAT—Question, General Sir George Balfour; Answer, Mr. Bourke 831
TURKEY—MR. CONSUL FREEMAN—Question, Mr. Henry Samuelson; Answer, Mr. Bourke 831
ARMY—SWEARING IN OF RECRUITS—Question, Dr. Lush; Answer, Mr. Gathorne Hardy 832
FOREIGN PHYSICIANS AND SURGEONS IN FRANCE—Question, Dr. Lush; Answer, Mr. Bourke 833
MILITARY SERVICE IN SOUTH AFRICA—Question, Mr. Whalley; Answer, Mr. J. Lowther 833

TURKEY—THE TREATY OF 1856—THE ADJOURNED DEBATE—Question, Observations, Sir Charles W. Dilke; Reply, Mr. Speaker .. 834
Moved, "That this House do now adjourn,"—(*Mr. Mitchell Henry*:)—After short debate, Motion, by leave, *withdrawn*.

Prisons Bill [Bill 1]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Assheton Cross*) 845
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Muntz*,)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to*.

Prisons Bill—continued.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee 865

After some time spent therein, Committee report Progress; to sit again *To-morrow.*

County Boards (Ireland) Bill—*Ordered* (*Captain Nolan, Mr. Fay, Mr. O'Clery*); *presented,* and read the first time [Bill 100] 886

LORDS, FRIDAY, FEBRUARY 23.

EMPLOYERS AND SERVANTS—"COMMON EMPLOYMENT"—MOTION FOR A SELECT COMMITTEE—

Moved that a Select Committee be appointed to inquire into the present operation of the law existing between employers and servants in connection with the subject of "common employment," and whether any alteration or amendment of the same is desirable,"—(*The Earl De La Warr*) 886

After short debate, Motion (by leave of the House) *withdrawn*

COMMONS, FRIDAY, FEBRUARY 23.

COOLIE EMIGRATION TO SURINAM—Question, Dr. Cameron; Answer, Lord George Hamilton 893

MERCHANT SHIPPING ACT, 1876—THE "ROCK TERRACE"—Question, Mr. Meldon; Answer, Sir Charles Adderley 893

NAVY—THE ADMIRALTY AND THE RUSSIAN GOVERNMENT—Question, Mr. W. Whitworth; Answer, Mr. Hunt 894

INDIAN ORDNANCE CORPS—PENSIONERS, &c.—Question, Mr. Dunbar; Answer, Lord George Hamilton 895

TREASURY SOLICITOR ACT, 1876—ESTATE OF THE LATE MR. W. PATERSON—Question, Mr. Grieve; Answer, Mr. W. H. Smith 896

ARMY—SOLDIERS IN PROVOST PRISONS—Question, Mr. J. Cowen; Answer, Mr. Gathorne Hardy 897

THE MERCHANT SHIPPING ACT, 1876—THE EXPLOSIVE SUBSTANCES ACT—THE "GREAT QUEENSLAND"—Question, Lord Eslington; Answer, Sir Charles Adderley 897

POLICE SUPERANNUATION—LEGISLATION—Question, General Shute; Answer, Mr. Assheton Cross 898

METROPOLIS—HYDE PARK CORNER—Question, Mr. C. B. Denison; Answer, Mr. Gerard Noel 898

SUPPLY—Order read, for resuming Adjourned Debate on Question [16th February], "That Mr. Speaker do now leave the Chair:"—

Question again proposed.

FOREIGN OFFICE AND DIPLOMATIC SERVICE—OPEN COMPETITION—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the principle of open competition for first appointments, which prevails in the Army and in most of the Public Departments, should be extended to the Foreign Office and the Diplomatic Service,"—(*Mr. Trevelyan,*)—instead thereof 899

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 159, Noes 112; Majority 47.—(Div. List, No. 14.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

PARLIAMENT—SCOTCH BUSINESS—Observations, Sir George Campbell; Reply, Mr. Assheton Cross:—Debate thereon 929

Supply—Order for Committee read—*continued.*

The War Department—Plumstead Common—Observations, Mr. Boord; Reply, Mr. Gathorne Hardy:—Short debate thereon 958

The Judicature Acts—Increase of the Judicial Staff—Observations, Mr. Osborne Morgan; Reply, The Attorney General:—Debate thereon 964

Moved, "That the Debate be now adjourned,"—(*Sir George Bowyer.*)

The House proceeded to *divide*:—
Mr. Parnell was appointed one of the Tellers for the Ayes, but no Member appearing to be a second Teller for the Ayes, Mr. Speaker declared the Noes had it.

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Moved, "That the Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill do consist of Seventeen Members, and that Mr. Ion Trant Hamilton and Mr. O'Shaughnessy be *added* to the Committee,"—(*Sir Michael Hicks-Beach*) .. 981

After short debate, Motion *agreed to.*

LORDS, MONDAY, FEBRUARY 26.

Turkey—The Treaties of 1856-1871—Motion for an Address—

Moved that an humble Address be presented to Her Majesty, praying that Her Majesty will adopt such measures as appear to be the best calculated to prevent hostilities, to secure adherence to the Treaties of 30th March and 15th April 1856, so far as the Conference of 1871 has re-established them, and to promote the welfare of the races subject to the Ottoman Empire,—(*The Lord Stratheden and Campbell*) .. 982

After debate, on Question? *Resolved* in the *Negative.*

COMMONS, MONDAY, FEBRUARY 26.

The Ballot Act—Marking of Ballot Papers—Question, Sir Charles W. Dilke; Answer, The Attorney General 1014

Patent Office—Specifications of Expired Patents—Question, Mr. E. J. Reed; Answer, The Attorney General 1014

Pleuro-Pneumonia (Ireland) Order, 1876—Question, Mr. M. Brooks; Answer, Sir Michael Hicks-Beach 1015

Army—Militia Recruits—Question, Mr. Sullivan; Answer, Mr. Gathorne Hardy 1017

Inland Revenue Office, Bristol—Question, Mr. Hodgson; Answer, Mr. W. H. Smith 1017

Maize and Barley Malt—Question, Mr. Clare Read; Answer, The Chancellor of the Exchequer 1017

Ramsgate Harbour—Question, Mr. Pemberton; Answer, Sir Charles Adderley 1018

The Judicature Acts—Report of the Commission—Question, Mr. Briggs; Answer, Mr. W. H. Smith 1019

Navy—Compassionate Allowances—Question, Mr. Puleston; Answer, Mr. Hunt 1019

Army—An Irish Regiment of the Guards—Question, Sir Patrick O'Brien; Answer, Mr. Gathorne Hardy 1020

Licensing Act, 1872—Sale of Beer by Retail—Question, Sir Thomas Chambers; Answer, Mr. Assheton Cross 1020

Turkey—A Petition from Bulgaria—Questions, Mr. Anderson, Mr. Gladstone; Answers, Mr. Bourke 1021

Parliament—Order—Committees of Supply—Question, Observations, Mr. Goldsmid; Reply, Mr. Speaker 1023

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE CIVIL SERVICE ESTIMATES—PROPOSED MINISTERIAL STATEMENT—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that proper explanation should be given by a Member of the Government before the House is asked to consider the Civil Service Estimates,"—(*Mr. Goldsmid,*)—instead thereof 1023

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1876-7.

(In the Committee.)

(1.) £12,337, Public Buildings.—After short debate, Vote *agreed to* .. 1041
(2.) £4,200, Furniture of Public Offices.—After short debate, Vote *agreed to* .. 1042
(3.) £3,440, Houses of Parliament.—After short debate, Vote *agreed to* .. 1043
(4.) £3,524, New Home and Colonial Offices.
(5.) £1,490, National Gallery Enlargement.—After short debate, Vote *agreed to* .. 1045
(6.) £1,800, Harbours, &c., under the Board of Trade.—After short debate, Vote *agreed to* 1045
(7.) £40,975, New Courts of Justice and Offices.—After short debate, Vote *agreed to* 1046
(8.) Motion made, and Question proposed, "That a sum, not exceeding £69,400, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Acquisition of Land and Houses as a Site for Public Offices" 1047
After short debate, Question put:—The Committee *divided;* Ayes 96, Noes 61; Majority 35.—(Div. List, No. 15.)
(9.) £47,000, Purchase of Winchester House.—After short debate, Vote *agreed to* .. 1049
(10.) £3,000, Light Houses Abroad.—After short debate, Vote *agreed to* .. 1052
(11.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £21,180, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for British Embassy Houses and Legation and Consular Buildings" .. 1052
After short debate, Question put:—The Committee *divided;* Ayes 167, Noes 53; Majority 114.—(Div. List, No. 16.)
(12.) £700, Treasury.
(13.) £10,810, Foreign Office.—After short debate, Vote *agreed to* 1058
(14.) £826, Colonial Office.
(15.) £15,796, Board of Trade.—After short debate, Vote *agreed to* 1059
(16.) £850, Civil Service Commission.
(17.) £872, Registry of Friendly Societies.
(18.) £10,000, Local Government Board.
(19.) £8,700, Mint, including Coinage.
(20.) £11,400, Law Charges.—After short debate, Vote *agreed to* 1063
(21.) £4,900, Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice.—After short debate, Vote *agreed to* 1064
(22.) £800, Admiralty Registry of the High Court of Justice.
(23.) £1,790, Wreck Commissioner's Office.
(24.) £26,252, County Courts.
(25.) £18,492, Police, Counties and Boroughs (Great Britain).
(26.) £1,850, Reformatory and Industrial Schools.
(27.) £1,800, Register House Departments, Edinburgh.
(28.) £2,000, Science and Art Department.—After short debate, Vote agreed to .. 1065
Motion made, and Question proposed, "That a sum, not exceeding £550, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of the Arctic Expedition" 1066
Motion, by leave, *withdrawn.*
(29.) £800, Paris International Exhibition.
Motion made, and Question proposed, "That a Supplementary sum, not exceeding £46,500, be granted to Her Majesty, to defray the Charge which will come in

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1876-7—Committee—*continued.*

course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies" 1066

After short debate, Motion, by leave, *withdrawn.*

(30.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £30,240, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves, and towards defraying the cost of the Agency and Consulate General at Zanzibar, including payment of the Imperial Moiety of the Muscat Subsidy" 1069

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Dr. Kenealy* :)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. William Henry Smith* :)—After short debate, Question put, and *agreed to.*

Resolutions to be reported *To-morrow ;* Committee to sit again upon *Wednesday.*

Settled Estates Bill [Bill 61]—

Order for Second Reading read 1072

After short debate, Second Reading *deferred* till *To-morrow.*

Publicans Certificates (Scotland) Bill [Bill 87]—

Moved, "That the Bill be now read a second time,"—(*Dr. Cameron*) .. 1072

Motion *agreed to* :—Bill read a second time, and *committed* for *To-morrow.*

Beer Licences (Ireland) Bill [Bill 57]—

Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair :"—Question put, and *agreed to* :—Bill *considered* in Committee 1072

After short time spent therein, Bill *reported ;* as amended, to be considered upon *Monday* next. [Bill 101.]

Valuation of Property (Ireland) Bill—

Motion for Leave (*Mr. W. H. Smith*) 1073

After short debate, Motion *agreed to* :—Bill to amend the Law relating to the Valuation of Rateable Property in Ireland, *ordered* (*Mr. William Henry Smith, Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 102.]

POLICE SUPERANNUATION FUNDS—

Select Committee *appointed,* "to inquire into the Police Superannuation Funds in the Counties and Boroughs of England and Wales, and the Acts creating and regulating the same, and to report to the House whether any, and, if any, what alterations or amendments in the Law are required,"—(*Sir Henry Selwin-Ibbetson.*)

And, on February 27, Committee *nominated* :—List of the Committee .. 1074

COMMONS—

Ordered, That a Select Committee be appointed, Six Members to be nominated by the House and Five by the Committee of Selection, to consider every Report made by the Inclosure Commissioners certifying the expediency of any Provisional Order for the inclosure or regulation of a Common, and presented to the House during the present Session, before a Bill be brought in for the confirmation of such Order.

Ordered, That it be an Instruction to the Committee that they have power, with respect to each such Provisional Order, to inquire and report to the House whether the same should be confirmed by Parliament, and, if so, whether with or without modifications; and, in the event of their being of opinion that the same should not be confirmed except subject to modifications, to report such modifications accordingly with a view to such Provisional Order being remitted to the Inclosure Commissioners,—(*Sir Henry Selwin-Ibbetson.*)

And, on March 12, Committee *nominated* :—List of the Committee .. 1075

LORDS, TUESDAY, FEBRUARY 27.

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Public Record Office Bill (No. 8)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Chancellor*) .. 1075
After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

COMMONS, TUESDAY, FEBRUARY 27.

Saint Giles and Saint Luke's Joint Charities Bill (*by Order*)—
Moved, "That the Bill be now read a second time" .. 1078
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Gregory.*)
After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to*.
Main Question put, and *agreed to*:—Bill read a second time, and *committed*.

TRAMWAYS (USE OF MECHANICAL POWER)—MOTION FOR A SELECT COMMITTEE—
Moved, That a Select Committee be appointed, "to consider how far, and under what regulations, the employment of steam or other mechanical power may be allowed upon Tramways and public roads,"—(*The Chairman of Ways and Means*) .. 1082
After short debate, Motion *agreed to*.
And, on March 1, Committee *nominated*:—List of the Committee .. 1086

THE CATTLE PLAGUE—OUTBREAK AT HULL—Questions, Sir Walter Barttelot, Mr. Norwood; Answer, Viscount Sandon 1087
LICENSING—THE MIDDLESEX MAGISTRATES—Question, Sir Patrick O'Brien; Answer, Mr. Assheton Cross 1088
TURKEY—THE CONSULAR SERVICE IN BULGARIA—Questions, Mr. H. B. Samuelson, Mr. Gladstone; Answers, The Chancellor of the Exchequer 1088
BREWERS' LICENCES—SELECT COMMITTEE—Question, Sir Edward Watkin; Answer, The Chancellor of the Exchequer 1090
TURKEY—THE PETITION FROM BULGARIA—Question, Mr. Anderson; Answer, Mr. Bourke 1090
THE MAGISTRACY—THE MAYOR OF BURY, LANCASHIRE—Question, Mr. Philips; Answer, Mr. Assheton Cross 1091
UNITED STATES—THE PHILADELPHIA EXHIBITION—Question, Mr. Ripley; Answer, Viscount Sandon 1091
PUBLIC HEALTH, IRELAND—VACCINE LYMPH—Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach 1092
TURKEY—THE RUSSIAN ARMY—Question, Sir H. Drummond Wolff; Answer, Mr. Bourke 1092
METROPOLIS TOLL BRIDGES BILL—Question, Mr. Watkin Williams; Answer, Sir James Hogg 1093

IRISH SOCIETY OF LONDON—MOTION FOR A SELECT COMMITTEE—
Moved, That a Select Committee be appointed "to inquire into the constitution, management, and annual expenditure of the Irish Society of London; and, further, to report as to what, if any, changes can be made in the governing body or the mode of administration in order to ensure a more economical and advantageous application of the property, or whether such result can be best attained by placing the property in the hands of public Trustees resident in Ireland,"—(*Mr. Charles Lewis*) 1093
After long debate, Question put:—The House *divided*; Ayes 53, Noes 108; Majority 55.—(Div. List, No. 17.)

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EDUCATION (TRAINING OF TEACHERS)—MOTION FOR A SELECT COMMITTEE—
Moved, That a Select Committee be appointed "to inquire into the system of apprenticeship of Pupil Teachers in Elementary Schools, and into the constitution of Training Colleges for Elementary Teachers,"—(*Mr. B. Samuelson*) .. 1139
After debate, Question put:—The House *divided;* Ayes 46, Noes 104; Majority 58.—(Div. List, No. 18.)

Sale of Intoxicating Liquors on Sunday (Ireland) Bill [Bill 50]—
Moved, "That the Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill do consist of 19 Members; that the Marquess of Hamilton and Mr. Richard Power be added to the Committee,"—(*Mr. Dunbar*) 1155
After short debate, Motion, by leave, *withdrawn.*

SUPREME COURT OF JUDICATURE ACT AMENDMENT [APPOINTMENT OF ADDITIONAL JUDGE, &C.]—
Considered in Committee—a Resolution *agreed to* 1156
Resolution to be reported *To-morrow.*

COMMONS, WEDNESDAY, FEBRUARY 28.

Town Councils and Local Boards Bill [Bill 11]—
Moved, "That the Bill be now read a second time,"—(*Mr. Mundella*) .. 1157
After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Tuesday*, 10th April.

Colonial Marriages Bill [Bill 29]—
Moved, "That the Bill be now read a second time,"—(*Mr. Knatchbull-Hugessen*) 1164
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Beresford Hope.*)
After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided:*—Ayes 192, Noes 141; Majority 51.
Division List, Ayes and Noes 1191
Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

Open Spaces (Metropolis) Bill [Bill 62]—
Moved, "That the Bill be now read a second time,"—(*Mr. Whalley*) .. 1194
After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

Threshing Machines Bill [Bill 20]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chaplin*) 1195
After short debate, it being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

Supreme Court of Judicature Bill—Resolution [February 27] *reported*, and *agreed to:*—Bill *ordered* (*Mr. Attorney General, Mr. Secretary Cross, Mr. William Henry Smith*); *presented*, and read the first time [Bill 103] 1196

Homicide Law Amendment Bill—*Ordered* (*Sir Eardley Wilmot, Mr. Whitwell*); *presented*, and read the first time [Bill 104] 1196

Habitual Drunkards Bill—*Ordered* (*Dr. Cameron, Mr. Clare Read, Mr. Ashley, Sir Henry Jackson, Mr. Edward Jenkins, Mr. Richard Smyth*); *presented*, and read the first time [Bill 105] 1196

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Moved that an humble Address be presented to Her Majesty for copies or extracts of correspondence on the subject of kidnapping in the South Seas (if any) since the last Papers relating to the matter were laid before the House,—(*The Earl of Belmore*) .. 1197

After short debate, Motion (by leave of the House) *withdrawn.*

Irish Peerage Bill [H.L.]—*Presented* (*The Lord Inchiquin*); read 1ª (No. 15) .. 1203

COMMONS, THURSDAY, MARCH 1.

METROPOLIS—KENSINGTON GARDENS—Question, Mr. Gordon; Answer, Mr. Gerard Noel 1203

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS ACT, 1868—Question, Mr. Butt; Answer, Mr. Assheton Cross 1204

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NAVY—NAVAL CADETS' COLLEGE—SITE—Question, Mr. E. J. Reed; Answer, Mr. Hunt 1206

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Prisons Bill [Bill 1]—

Bill *considered* in Committee [*Progress 22nd February*] 1217

After long time spent therein, Committee report Progress; to sit again *To-morrow*.

WAYS AND MEANS—COMMITTEE—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 1247

Moved, "That the Debate be now adjourned,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1877, the sum of £350,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

Open Spaces (Metropolis) Bill [Bill 62]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Whalley*) 1248

Moved, "That the Debate be now adjourned,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee, and *reported;* as amended, to be considered *To-morrow.*

LORDS, FRIDAY, MARCH 2.

Exoneration of Charges Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 16) 1249

Contingent Remainders Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 17) 1249

Bankruptcy Law Amendment Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 18) 1249

COMMONS, FRIDAY, MARCH 2.

London, Brighton, and South Coast Railway (*Various Powers*) *Bill* (*by Order*)—

Moved, "That the Bill be now read a second time" .. 1250

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Shaw Lefevre.*)

After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 143, Noes 100; Majority 43. (Div. List, No. 24.)

MERCANTILE MARINE — LIGHTHOUSE IN MORTE BAY — Question, Mr. Morley; Answer, Sir Charles Adderley 1255

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TREASURY SOLICITOR ACT, 1876—ESTATE OF THE LATE MR. W. PATERSON —Question, Mr. Grieve; Answer, Mr. W. H. Smith 1257

TURKEY — THE BULGARIAN MASSACRES—Question, Mr. Rylands; Answer, Mr. Bourke 1257

TURKEY—OUTRAGES IN BULGARIA—ACQUITTAL OF TOSSOUN BEY—Questions, Mr. Mundella, Mr. H. B. Samuelson, Mr. Rylands; Answers, The Chancellor of the Exchequer, Mr. Bourke 1258

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THE WAR OFFICE—REPORT ON SANITARY STATE—Question, Mr. Kay-Shuttleworth; Answer, Mr. Gerard Noel 1260

RAILWAY COMMISSION—APPOINTMENT OF MR. A. E. MILLER, Q.C.—Question, Mr. Knatchbull-Hugessen; Answer, Sir Henry Selwin-Ibbetson 1261

THE ARCTIC EXPEDITION—THE MEDICAL OFFICERS—Question, Captain Pim; Answer, Mr. Hunt 1261

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

INTERNATIONAL MARITIME LAW—THE DECLARATION OF PARIS, 1856—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the object of the Declaration of Paris respecting Maritime Law, signed at Paris on the 16th of April 1856, was, as was expressed in the preamble, to endeavour to attain uniformity of doctrine and practice in respect to Maritime Law in time of war:

"That it is moreover obvious that the whole value that might be supposed to attach to any such Declaration, as changing the ancient and immemorial practice of the law of nations on the subject, must necessarily depend on the general assent of all the Maritime States to the new doctrines:

"That the fact of important Maritime Powers, such as Spain and the United States, having declined to accede to the Declaration of Paris, deprives that document of any value as between the Governments who have signed it:

"That the consequence of some Powers adhering to the new rules, whilst others retained intact their natural rights in time of war, would be to place the former at a great and obvious disadvantage in the event of hostilities with the latter;

"That Great Britain being an essentially Naval Power, this House cannot contemplate such an anomalous and unsatisfactory condition of international obligations without grave misgivings:

"That, independently of all other considerations, the failure, after twenty years negotiations to bring about general adhesion to its terms, necessitates the withdrawal of this Country from what was necessarily and on the face of it a conditional and provisional assent to the new rules:

"That this House, whilst desiring to leave the question of opportuneness to the discretion of Her Majesty's Government, and having confidence in the repeated declarations on the subject of individual members of the present Administration, think it desirable to record an opinion that no unnecessary delay ought to take place in withdrawing from the Declaration signed at Paris on 16th of April 1856, on the subject of Maritime Belligerent Rights,"—(*Mr. Percy Wyndham,*)—instead thereof 1262

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Butler-Johnstone:*)—Question put:—The House *divided;* Ayes 51, Noes 182; Majority 131.—(Div. List, No. 25.)

Question again proposed, "That Mr. Speaker do now leave the Chair:"—*Moved,* "That this House do now adjourn,"—(*Sir H. Drummond Wolff:*)—Motion, by leave, *withdrawn.*

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 170, Noes 56; Majority 114:—(Div. List, No. 26.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Ways and Means—Consolidated Fund (£350,000) Bill—Resolution [March 1] *reported,* and *agreed to:*—Bill *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*); *presented,* and read the first time 1344

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Metropolitan Board of Works (Election of Members) Bill (No. 2)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Camperdown*) .. 1345

Amendment *moved* to leave out ("now,") and add at the end of the Motion ("this day six months,")—(*The Earl Beauchamp.*)

After short debate, on Question, That ("now") stand part of the Motion? *resolved* in the *negative*:—Bill to be read 2^a *this day six months.*

COMMONS, MONDAY, MARCH 5.

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The Borough Magistrates—City of Exeter—Question, Sir Edward Watkin; Answer, Mr. Assheton Cross 1358

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Army—Promotion of Captain R. W. Napier—Question, Sir Alexander Gordon; Answer, Mr. Gathorne Hardy 1362

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Railway Department, Board of Trade—Captain Tyler—Question, Mr. Goldsmid; Answer, The Chancellor of the Exchequer 1367

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Army—Case of Gunner Charlton—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the facts disclosed in the case of the late Gunner Charlton call for the serious attention of the War Office, both as respects the cruelty inflicted upon the individual soldier, and the delay and uncertainty exhibited in reference to the compensation for his suffering and injuries,"—(*Sir Edward Watkin*,)—instead thereof 1368

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Army—British Officers in Foreign Service—Observations, Sir George Campbell 1380

Army—Recall of Captain Burnaby—Question, Observations, Mr. Grant Duff; Reply, Mr. Gathorne Hardy:—Short debate thereon .. 1381

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Army Estimates and Army Supplementary Estimates—

(In the Committee.)

(1.) Motion made, and Question proposed, "That a number of Land Forces, not exceeding 133,720, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1877 to the 31st day of March 1878, inclusive" 1389

After debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. J. Holms*:)—Motion, by leave, *withdrawn.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell*:)—Question put, and *negatived.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed, "That a sum, not exceeding £4,565,800, be granted to Her Majesty, to defray the Charge of the Pay and Allowances and other Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment from the 1st day of April 1877 to the 31st day of March 1878, inclusive" 1440

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Macdonald*:)—Question put, and *negatived.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed, "That a sum, not exceeding £50,000, be granted to Her Majesty, to defray the Estimated Excess of Expenditure beyond the sums voted for the Army Purchase Commission for the year ending 31st March 1877" 1442

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell*:)—Question put, and *negatived.*

Original Question put, and *agreed to.*

Motion made, and Question proposed, "That a sum, not exceeding £140,000, be granted to Her Majesty, to defray the Estimated Excess of Expenditure beyond the sums voted for Army Services for the year ending 31st March 1877" .. 1443

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

LORDS, TUESDAY, MARCH 6.

Public Record Office Bill (No. 8)—

Moved, "That the House be put into Committee on the Bill,"—(*The Lord Chancellor*) 1443

Motion *agreed to*:—House in Committee accordingly.

Bill *reported,* without Amendment; Amendments made: Bill *re-committed* to a Committee of the Whole House on *Tuesday* next; and to be *printed,* as amended. (No. 21.)

Lord Chief Justice Coleridge—Costs in Poaching Cases—Question, Observations, Viscount Midleton; Reply, The Lord Chancellor:—Short debate thereon 1444

COMMONS, TUESDAY, MARCH 6.

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Turkey — Christians in Turkey—Despatches, 1860-61—Questions, Mr. Forsyth; Answers, Mr. Bourke 1448

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School Board Prosecutions (Scotland)—Question, Dr. Cameron; Answer, The Lord Advocate 1450

Egypt—Colonel Gordon—Questions, Mr. Hanbury, Mr. Mark Stewart; Answers, Mr. Bourke 1451

West Africa—Colonial Revenues—Question, Lord Robert Montagu; Answer, Mr. J. Lowther 1452

Malta—The Legislative Council—Question, Mr. Anderson; Answer, Mr. J. Lowther 1453

ADMIRALTY ADMINISTRATION—RESOLUTION—

Moved, "That this House, in order to remedy certain defects in the Administration of the Admiralty, recommends the Government to take into consideration the propriety of administering that Department by means of a Secretary of State:

"That this House further recommends the Government to take into consideration the advantage of appointing to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards persons who possess practical knowledge of the duties they have to discharge; and of altering the rule which limits their tenure of office to a fixed term,"—(*Mr. Seely*) 1454

After long debate, Question put:—The House *divided;* Ayes 58, Noes 183; Majority 125.—(Div. List, No. 27.)

POOR LAW UNIONS AMALGAMATION (IRELAND)—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to take Evidence and Report as to whether any Amalgamation of Poor Law Unions in Ireland is desirable; and, if so, in what manner and to what extent such amalgamation should be carried into effect," —(*Mr. Macartney*) 1524

After short debate, Motion, by leave, *withdrawn.*

Thames River (Prevention of Floods) Bill [Bill 70]—

Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House, and Five by the Committee of Selection.

Instruction to the Committee, That they have power to inquire into and report upon the most equitable mode of charging and meeting the expenses to be incurred under the Bill,—(*Sir Henry Selwin-Ibbetson.*)

Metropolis Toll Bridges Bill [Bill 18]—

Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House, and Five by the Committee of Selection.

Ordered, That all Petitions against the Bill, presented on or before the eighth day after the Second Reading of the Bill, be referred to the Committee, and all Petitioners entitled to be heard be so by themselves, their Counsel, agents, and witnesses upon their Petitions, if they think fit, and that Counsel be heard in support of the Bill and against the Petitions.

Ordered, That the following Reports of Select Committees of this House, and the Evidence taken before them, be referred to the Committee on the Bill: namely, the Committee of 1865, upon the Metropolitan Toll Bridges Bill and the Chelsea Bridge Toll Abolition Bill; of 1876, upon the Toll-paying Bridges over the Thames, and upon the Metropolis Toll Bridges Bill.

And, on March 15, Committee *nominated:*—List of the Committee .. 1527

Mutiny Bill—*Ordered* (*Mr. Secretary Hardy, The Judge Advocate General, Mr. Stanley*) 1527

COMMONS, WEDNESDAY, MARCH 7.

Ancient Monuments Bill [Bill 16]—

Moved, "That the Bill be now read a second time,"—(*Sir John Lubbock*) 1527

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Lord Francis Hervey.*)

After long debate, Question put:—"That the word 'now' stand part of the Question:"—The House *divided;* Ayes 211, Noes 163; Majority 48. —(Div. List, No. 28.)

Main Question put, and *agreed to:*—Bill read a second time.

Moved, "That the Bill be committed to a Committee of the Whole House for Friday, 16th March."

Amendment proposed, to leave out from the word "a" to the end of the Question, in order to add the words "Select Committee,"—(*Mr. Gregory,*)—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *committed* to a Select Committee.

And, on May 15, Committee *nominated.*

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County Courts Jurisdiction Extension Bill—*Ordered* (*Sir Eardley Wilmot, Mr. Forsyth*); *presented*, and read the first time [Bill 110] 1564

Drainage and Improvement of Lands (Ireland) Provisional Orders Bill—*Ordered* (*Mr. William Henry Smith, Sir Michael Hicks-Beach*); *presented*, and read the first time [Bill 108] 1564

LORDS, THURSDAY, MARCH 8.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1869—THE RECENT PROCLAMATIONS——Observations, Questions, Earl Fortescue; Reply, The Duke of Richmond and Gordon 1564

COMMONS, THURSDAY, MARCH 8.

BANK OF ENGLAND—CERTIFICATES OF DEATH—Question, Mr. Gregory; Answer, The Chancellor of the Exchequer 1566

PUBLIC HEALTH—VACCINATION—Question, Mr. James; Answer, Mr. Sclater-Booth 1566

NAVAL DISCIPLINE ACT, 1866 — LEGISLATION — Question, Mr. P. A. Taylor; Answer, Mr. Hunt 1567

COUNTY CESS COLLECTORS (IRELAND)—Question, Mr. Owen Lewis; Answer, Sir Michael Hicks-Beach 1567

POOR LAW — ELECTION OF GUARDIANS, CHELTENHAM—Question, Mr. H. B. Samuelson; Answer, Mr. Sclater-Booth 1568

ARMY—THE AUXILIARY FORCES—ADJUTANTS—Question, Mr. Wait; Answer, Mr. Gathorne Hardy 1568

THE EASTERN QUESTION — THE RUSSIAN CIRCULAR—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1569

EGYPT AND ABYSSINIA—Questions, Mr. Evelyn Ashley, Mr. Potter, Mr. W. E. Forster; Answers, Mr. Bourke 1569

THE WAR OFFICE—SANITARY STATE—Question, Mr. Coope; Answer, The Chancellor of the Exchequer 1572

THE RECENT FLOODS IN THE THAMES VALLEY—Questions, Mr. Coope, Mr. A. Peel; Answers, Mr. Assheton Cross 1573

METROPOLIS — HYDE PARK—THE MOUNDS—Questions, Mr. W. Lowther, Mr. Monk; Answers, Mr. Gerard Noel 1573

TURKEY — BRITISH REPRESENTATIVE AT CONSTANTINOPLE — Question, Mr. Hanbury; Answer, Mr. Bourke 1574

TURKEY—BOSNIA—Question, Sir George Campbell; Answer, Mr. Bourke .. 1574

TURKEY—THE BULGARIAN MASSACRES—Question, Mr. Rylands; Answer, Mr. Bourke 1575

THE ARMY ESTIMATES — PROMOTION AND RETIREMENT — Question, Mr. Trevelyan; Answer, Mr. Gathorne Hardy 1576

NAVY—THE NAVAL COLLEGE—Question, Mr. Edwards; Answer, Mr. Hunt 1577

TURKEY—LOANS OF 1854 AND 1855—Question, Mr. J. R. Yorke; Answer, The Chancellor of the Exchequer 1577

ARMY—RECRUITS—Question, Mr. J. Holms; Answer, Mr. Gathorne Hardy 1578

METROPOLITAN STREET IMPROVEMENTS BILL—DEMOLITION OF DWELLINGS—Question, Sir Charles Russell; Answer, Mr. Assheton Cross .. 1579

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ARMY—RECALL OF CAPTAIN BURNABY—Question, Mr. Grant Duff; Answer, Mr. Gathorne Hardy 1580

NAVY—NAVAL ARTILLERY VOLUNTEERS—Question, Mr. Whalley; Answer, Mr. Hunt 1581

NAVY—DOCKYARD SUPERINTENDENTS—Questions, Mr. Shaw Lefevre; Answers, Mr. Hunt 1581

CRIMINAL LAW—CONVICTION FOR MANSLAUGHTER AT DURHAM—Question, Mr. Owen Lewis; Answer, Mr. Assheton Cross 1582

NOVA SCOTIA—NULLITY OF LEGISLATION—MARRIAGES—Question, Mr. W. Johnston; Answer, Mr. J. Lowther 1583

Treasury and Exchequer Bills Bill [Bill 88]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1583

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Valuation of Property Bill [Bill 63]—

Moved, "That the Bill be now read a second time," — (*Mr. Sclater-Booth*) 1587

Amendmeut proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "no general Valuation Act can be satisfactory which does not provide in the Valuation List a common authority and a common measure for the purposes of assessment, thus charging local rates and Imperial taxes equally upon the net or rateable value of real property,"—(*Mr. J. G. Hubbard*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Storer*:)—Motion, by leave, *withdrawn.*

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 214, Noes 27; Majority 187.—(Div. List, No. 29.)

Main Question proposed.

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

Justices Clerks' (*re-committed*) **Bill** [Bill 5]—

Bill *considered* in Committee 1637

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

Beer Licences (Ireland) Bill [Bill 101]—

Moved, "That the Bill be now further considered" 1642

Moved, "That the Debate be now adjourned,"—(*Mr. Macdonald.*)

After short debate, Question put, and *negatived.*

Original Question put, and *agreed to*:—Bill *further considered*:—Bill to be read the third time *To-morrow.*

METROPOLITAN FIRE BRIGADE—

Select Committee *appointed*, "to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade, and into the most efficient means of providing further security from loss of life and property by fire in the Metropolis."

Committee *nominated*:—List of the Committee 1645

Ordered, That the Evidence taken before the Committee on the Metropolitan Fire Brigade, in Session 1876, be referred to the Committee,—(*Sir Henry Selwin-Ibbetson.*)

Ordered, That it be an Instruction to the Select Committee on the Metropolitan Fire Brigade that they have power to take evidence and report with special reference to better means of preventing loss of life and property from fire in theatres and other places of public amusement,—(*Mr. Onslow.*)

Law of Evidence Amendment Bill—*Ordered* (*Mr. Morgan Lloyd, Mr. Herschell*); *presented*, and read the first time [Bill 112] 1645

Public Parks (Scotland) Bill—*Ordered* (*Mr. Fortescue Harrison, Sir Windham Anstruther, Sir George Balfour, Dr. Cameron, Mr. William Holms*); *presented*, and read the first time [Bill 111] 1645

LORDS, FRIDAY, MARCH 9.

Consolidated Fund (£350,000) Bill—

Read 2ª (according to order); Committee *negatived;* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with;* Bill read 3ª, and *passed.*

Publicans' Certificates (Scotland) Bill (No. 14)—

Moved, "That the Bill be now read 2ª,"—(*The Earl Stanhope*) .. 1646

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House.

COMMONS, FRIDAY, MARCH 9.

CONSTABULARY (IRELAND)—PENSIONS—Question, Mr. Meldon; Answer, The Chancellor of the Exchequer 1647

EGYPT—SLAVE TRADE IN THE RED SEA—Questions, Mr. Hanbury; Answers, Mr. Bourke, Mr. Hunt 1647

MERCHANT SHIPPING ACTS—UNSEAWORTHY SHIPS—THE "GLENAFTON"—Question, Mr. Macdonald; Answer, Sir Charles Adderley .. 1648

LOANS TO URBAN AND RURAL SANITARY AUTHORITIES—Questions, Mr. Whitbread; Answers, Mr. Sclater-Booth 1649

MUSEUM OF NATURAL HISTORY (SOUTH KENSINGTON)—Question, Lord Arthur Russell; Answer, Mr. Gerard Noel 1650

CRIMINAL LAW—THE QUEEN v. CASTRO—Question, Mr. Whalley; Answer, Mr. Assheton Cross 1650

TURKEY—LOANS OF 1854 AND 1855—EXPLANATION—Question, Mr. J. R. Yorke; Answer, The Chancellor of the Exchequer 1651

PUBLIC HEALTH—THE SMALLPOX HOSPITAL AT LIMEHOUSE—Question, Mr. Ritchie; Answer, Mr. Sclater-Booth 1653

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LOCAL ADMINISTRATION—REPRESENTATIVE COUNTY BOARDS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no readjustment of local administration will be satisfactory or complete which does not refer County business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board,"—(*Mr. Clare Read*,)—instead thereof 1653

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put, and *negatived*.

Words *added*:—Main Question, as amended, put.

Resolved, That no readjustment of local administration will be satisfactory or complete which does not refer County business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board.

THE QUEEN v. CASTRO—THE ORTON CORRESPONDENCE—ORDER— .. 1733

Customs and Inland Revenue (Duties on Offices and Pensions) Bill [Bill 91]—

Moved, "That the Bill be now read a second time" 1733

After short debate, Second Reading *deferred* till *Monday* next.

MEMBERS OF PARLIAMENT—

Ordered, That there be added to the Return relative to Members of Parliament, ordered by this House on the 4th day of May 1876, a Return, from so remote a period as it can be obtained up to the year 1696, of the Surnames, Christian Names, and Titles of all Members of the Lower House of Parliament of England, Scotland, and Ireland, with the Name of the Constituency represented, and date of Return of each,—(*Sir William Fraser*.)

LORDS, MONDAY, MARCH 12.

Exoneration of Charges Bill (No. 16)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1735

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Contingent Remainders Bill (No. 17)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Chancellor*) .. 1736

Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Local Government of the Metropolis—Motion for Returns—

Moved, That there be laid before this House—

"Returns of the sums expended by vestries and district boards within the Metropolitan district, exclusive of the City of London, upon paving, lighting, drainage, water supply, sanitary arrangements, and other works not under the jurisdiction of the Metropolitan Board, during the years 1874, 1875, and 1876,—(*The Earl De La Warr*) .. 1736

After short debate Motion *agreed to.*

Captain Burnaby — Recall from Russia and Asia—Questions, Observations, Lord Dorchester; Reply, The Earl of Derby 1745

Irish Peerage Bill (No. 15)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Inchiquin*) .. 1752

After short debate, Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

COMMONS, MONDAY, MARCH 12.

Criminal Law — The Murder at Rochdale — Question, Mr. James; Answer, Mr. Assheton Cross 1754

Police—Devonport Watch Committee—Question, Sir Wilfrid Lawson; Answer, Mr. Assheton Cross 1755

Merchant Shipping Act, 1876 — Explosive Substances Act, 1875—The "Thomasina M'Lellan"—Question, Mr. Evelyn Ashley; Answer, Sir Charles Adderley 1756

The Ordnance Survey — Question, Mr. Paget; Answer, Mr. Gerard Noel 1757

Scotch Historical Records—The Grant—Question, Mr. Mackintosh; Answer, Mr. W. H. Smith 1757

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Harbours of Refuge — The North East Coast —Question, Sir Eardley Wilmot; Answer, Sir Charles Adderley 1758

Oxford University Bill—Petitions—Question, Mr. Goschen; Answer, Mr. Gathorne Hardy 1759

Russia—The Polish Provinces—Question, Mr. O'Clery; Answer, Mr. Bourke 1760

The Home Office — Reception of Deputations—Question, Mr. Mitchell-Henry; Answer, Mr. Gerard Noel 1760

Common Law Courts (Ireland)—Question, Mr. Parnell; Answer, The Attorney General for Ireland 1761

United States—Extradition—Brent's Case—Questions, Mr. O'Shaughnessy; Answers, Mr. Assheton Cross, Mr. Bourke 1761

The Cattle Plague—Outbreak at Hull—Question, Colonel Kingscote; Answer, Viscount Sandon 1762

Parliament — Order of Public Business — The Easter Recess—Questions, Mr. Beresford Hope, Mr. Hankey, Lord Eslington, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer, Mr. W. H. Smith 1763

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

NAVAL PENSION FUND—Observations, Captain Price 1764
NAVY—H.M.S. "VANGUARD"—Observations, Dr. Cameron; Reply, Mr. A. F. Egerton 1769
NAVY—WARRANT OFFICERS—THE ORDER IN COUNCIL, 1875—Question, Observations, Mr. Gorst, Mr. Childers 1780

NAVY—NAVAL CRIMINAL RETURNS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that more detailed information should be furnished to Parliament in regard to crime and punishment in the Navy, such as was afforded by the Returns for the years 1863, 1864, and 1865,"—(*Mr. P. A. Taylor*,)—instead thereof 1783

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 121, Noes 65; Majority 56.—(Div. List, No. 32.)

STATE OF THE NAVY—BOILERS—Observations, Sir John Hay; Reply, Mr. Hunt:—Debate thereon 1788

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee.

NAVY ESTIMATES AND NAVY EXCESS ESTIMATE, 1875-6.

(In the Committee.)

(1.) Motion made, and Question proposed, "That 60,000 men and boys be employed for the Sea and Coast Guard Services for the year ending on the 31st day of March 1878, including 14,000 Royal Marines,"—(*Mr. Hunt*) 1810
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. E. J. Reed*:)—After short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*
(2.) £75,511 2*s.* 3*d.*, Navy (Excess), 1875-6.—After short debate, Vote *agreed to* .. 1830

EXCHEQUER BONDS.

(3.) Motion made, and Question proposed, "That, towards raising a Supply to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum not exceeding £700,000 in Exchequer Bills or Bonds,"—(*Mr. W. H. Smith*:)—Vote *agreed to* 1831
On Question, "That the Chairman report Progress, and ask leave to sit again:"—After short debate, Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Treasury and Exchequer Bills Bill [Bill 88]—
Order for Consideration, as amended, read 1831
After short debate, Bill, as amended, *considered;* read the third time, and *passed.*

WAYS AND MEANS—*considered* in Committee—

(In the Committee.)

1. *Resolved*, That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £700,000, by issue of Exchequer Bonds.
2. *Resolved*, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds.
3. *Resolved*, That the interest of such Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

LORDS, TUESDAY, MARCH 13.

Page

THE EASTERN QUESTION—NEGOTIATIONS—Question, Earl Granville; Answer, The Earl of Derby 1832

Public Record Office Bill (Nos. 8-21)—
Order of the Day for the House to be put into Committee (on Re-commitment), read 1833
After short debate, Order *discharged;* and Bill referred to a Select Committee.
And, on March 22, Committee *nominated.*

Burial Acts Consolidation Bill—
Bill to consolidate, with Amendments, the Burial Acts; *Presented* (*The Lord President*) 1833
After short debate, Bill read 1ª (No. 27).

COMMONS, TUESDAY, MARCH 13.

POST OFFICE—POSTMASTERS—Question, Dr. Lush; Answer, Lord John Manners 1850
EGYPT — ABYSSINIA — Questions, Sir H. Drummond Wolff, Mr. Evelyn Ashley; Answers, Mr. Bourke 1850
ELEMENTARY EDUCATION (SCOTLAND) ACT — MEETINGS OF THE DEPARTMENT —Question, Dr. Cameron; Answer, Viscount Sandon 1851
PRISONS BILL—PRISON OFFICIALS—Question, Colonel Chaplin; Answer, Mr. Assheton Cross 1852
ELEMENTARY EDUCATION (ENGLAND) ACT—BIRMINGHAM SCHOOL BOARD—Question, Mr. J. G. Talbot; Answer, Viscount Sandon 1852
FRANCE AND GERMANY—THE FRENCH FRONTIER FORTRESSES—Question, Mr. Owen Lewis; Answer, Mr. Bourke 1853
POST OFFICE (TELEGRAPH DEPARTMENT) — LEITRIM — Question, Captain O'Beirne; Answer, Lord John Manners 1853
TURKEY—FURTHER PAPERS—Question, Mr. H. B. Samuelson; Answer, Mr. Bourke 1854
MERCHANT SHIPPING ACTS—THE STEAMSHIP "PRINCE"—Question, Mr. Burt; Answer, Sir Charles Adderley 1854
PUBLIC HEALTH (METROPOLIS) — SMALL-POX HOSPITALS—Question, Lord Richard Grosvenor; Answer, Mr. Assheton Cross 1855
ARMY ESTIMATES—PLUMSTEAD COMMON—Question, Mr. Boord; Answer, Mr. Gathorne Hardy 1855
THE SUEZ CANAL—PILOTAGE—Question, Mr. D. Jenkins; Answer, The Chancellor of the Exchequer 1856
GERMAN SUBJECTS IN ENGLAND—THE GERMAN ARMY—Question, Captain Nolan; Answer, Mr. Assheton Cross 1857
THE TICHBORNE CASE—THE QUEEN v. CASTRO—WITNESSES—Question, Mr. Whalley; Answer, Mr. Assheton Cross 1857
TURKEY — PROGRESS OF NEGOTIATIONS — Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer .. 1858
CRIMINAL LAW—COSTS IN POACHING CASES—LORD CHIEF JUSTICE COLERIDGE—Observations, Sir Charles Legard 1858
THE CATTLE PLAGUE — Questions, Colonel Kingscote, Mr. W. E. Forster; Answers, Viscount Sandon 1859

The "Questions" having been gone through—
THE TICHBORNE CASE—THE QUEEN v. CASTRO—WITNESSES—Observations, Mr. Whalley 1860

INTOXICATING LIQUORS RETAIL—RESOLUTION—
Moved, "That it is desirable to empower the Town Councils of Boroughs under the Municipal Corporations Acts to acquire compulsorily, on payment of fair compensation, the existing interests in the Retail Sale of Intoxicating Drinks within their respective

Intoxicating Liquors Retail—Resolution—continued.

districts; and thereafter, if they see fit, to carry on the trade for the convenience of the inhabitants, but so that no individual shall have any interest in nor derive any profit from the sale,"—(*Mr. Chamberlain*) 1861

After debate, Question put:—The House *divided;* Ayes 51, Noes 103; Majority 52.

Division List, Ayes and Noes 1898

Criminal Punishments (Ireland) (Applications for Remissions)—Motion for a Return—

Moved, "That there be laid before this House, a Return of the number of Applications for total or partial Remissions of Criminal Punishments awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused,"—(*Captain Nolan*) 1899

After short debate [House counted out.]

COMMONS, WEDNESDAY, MARCH 14.

Intoxicating Liquors (Scotland) Bill [Bill 13]—

Moved, "That the Bill be now read a second time,"—(*Sir Robert Anstruther*) 1901

After long debate, Question put:—The House *divided;* Ayes 90, Noes 253; Majority 163.—(Div. List, No. 34.)

Criminal Law Practice Amendment Bill [Bill 78]—

Moved, "That the Bill be now read a second time,"—(*Mr. Serjeant Simon*) 1959

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* 16th April.

Parliamentary and Municipal Registration Bill [Bill 59]—

Moved, "That the Bill be now read a second time,"—(*Mr. Marten*) .. 1960

Moved, "That the Debate be now adjourned,"—(*Mr. Locke:*)—After short debate, Question put, and *negatived.*

Main Question put, and *agreed to:*—Bill read a second time, and *committed* to a Select Committee.

Registration of Borough Voters Bill [Bill 38]—

Order read, for resuming Adjourned Debate on Question [21st February], "That the Bill be now read a second time,"—(*Sir Charles W. Dilke:*)—Question again proposed 1961

Question put, and *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

Marine Mutiny Bill—*Ordered* (*Mr. Hunt, Mr. Algernon Egerton, Sir Massey Lopes*); *presented,* and read the first time 1961

Exchequer Bills and Bonds (£700,000) Bill—*Ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*); *presented,* and read the first time [Bill 114] 1961

LORDS, THURSDAY, MARCH 15.

Treasury and Exchequer Bills Bill (No. 25)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Beaconsfield*) .. 1962

Motion *agreed to:*—Bill read 2ª accordingly; Committee *negatived;* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with;* Bill read 3ª, and *passed.*

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COMMONS, THURSDAY, MARCH 15.

Page

Manchester and Milford and Mid Wales Railway Companies Bill (*by Order*)—

Moved, "That the Bill be now read a second time" 1963

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Goldney.*)

After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to* :—Bill read a second time, and *committed.*

Central Asia—Treaty with Khelat—Question, Mr. Robertson; Answer, Lord Geore Hamilton 1965

Army — Militia Lieutenants — Competitive Examinations—Question, General Shute; Answer, Mr. Gathorne Hardy 1965

Egypt and Abyssinia—Detention of British Subjects—Question, Mr. Potter; Answer, Mr. Bourke 1966

Post Office (Telegraph Department) — Surveyors — Question, Mr. Goldsmid; Answer, Lord John Manners 1967

Army—The Coast Brigade—Royal Artillery — Question, Mr. Ritchie; Answer, Mr. Gathorne Hardy 1967

Criminal Law—Unlawful Killing of a Dog—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 1967

Post Office—Communication with the United States—Question, Mr. Isaac; Answer, Lord John Manners 1969

Criminal Law — Alleged Outrage at Stamford — Question, Mr. Sullivan; Answer, Mr. Assheton Cross 1970

Spain—Taxation in Cuba—Questions, Mr. Anderson, Mr. Childers; Answers, Mr. Bourke 1970

Metropolis—Knightsbridge Road—Question, Mr. J. R. Yorke; Answer, Sir James Hogg 1971

India — Route from Rangoon to Kiang Hung—Question, Mr. Sampson Lloyd; Answer, Lord George Hamilton 1972

The German Empire—French Residents—Question, Captain Nolan; Answer, Mr. Bourke 1972

Army — Employment of Soldiers in the Harvest Field—Question, Mr. Knatchbull-Hugessen; Answer, Mr. Gathorne Hardy .. 1973

Army—The Crimean Graveyards—Question, Mr. E. J. Reed; Answer, Mr. Gathorne Hardy 1973

Army — Militia Surgeons — Warrant of 1876 — Question, Colonel Mure; Answer, Mr. Gathorne Hardy 1974

Judicature Acts — Appointment of Additional Judge — Question, Mr. Freshfield; Answer, The Chancellor of the Exchequer .. 1974

Navy—The Training Ship "Britannia"—"Bullying"—Question, Mr. Blake; Answer, Mr. Hunt 1975

Coal Mines Regulation Act — Park Hall Colliery Explosion — Question, Mr. Allen; Answer, Mr. Assheton Cross 1976

Barbadoes—Mr. Pope Hennessy—Question, Mr. Greene; Answer, Mr. J. Lowther 1977

The Floods—Question, Mr. Arthur Peel; Answer, Mr. Assheton Cross .. 1977

SUPPLY—*considered* in Committee—Army Supplementary Estimate—

(In the Committee.)

(1.) £140,000, Army Supplementary Estimate.—After short debate, Vote *agreed to* 1978

Civil Services.

(2.) £550, Arctic Expedition, *agreed to.*

(3.) £31,350, Diplomatic Services.—After short debate, Vote *agreed to* .. 1978

(4.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £46,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses, in certain Colonies" 1982

SUPPLY—CIVIL SERVICES &c. ESTIMATES—Committee—*continued.*

Motion made, and Question proposed, "That a Supplementary sum, not exceeding £5,500, be granted, &c,"—(*Lord Robert Montagu*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed.

Motion made, and Question proposed, "That a Supplementary sum, not exceeding £40,500, be granted, &c.,"—(*Lord Robert Montagu*:)—After short debate, Question put:—The Committee *divided;* Ayes 92, Noes 150; Majority 58.—(Div. List, No. 35.)

Original Question again proposed.

Motion made, and Question proposed, "That a Supplementary sum, not exceeding £41,000, be granted, &c.,"—(*Sir Charles W. Dilke*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed.

Motion made, and Question put, "That a Supplementary sum, not exceeding £44,500, be granted, &c.,"—(*Sir Charles W. Dilke*:)—The Committee *divided;* Ayes 57, Noes 124; Majority 67.—(Div. List, No. 36.)

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £21,200, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for Tonnage Bounties, Bounties on Slaves, and Expenses of the Liberated African Department" 2000

Motion made, and Question proposed, "That the Item of £10,000, for Tonnage Bounties, &c., be omitted from the proposed Vote,"—(*Mr. Gourley*:)—After short debate, Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £1,000, Mr. Cave's Mission to Egypt.—After short debate, Vote *agreed to* .. 2008

(7.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £13,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for Superannuation and Retired Allowances to Persons formerly employed in the Public Service, and for Compassionate and other Special Allowances and Gratuities awarded by the Commissioners of Her Majesty's Treasury" 2008

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Dillwyn*:)—Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £1,550, Miscellaneous Expenses, *agreed to.*

(9.) £6,498, Mediterranean Extension Telegraph Company.—After short debate, Vote *agreed to* 2011

(10.) £1,820, Ashantee Expedition, Gratuities and Prize Pay, *agreed to.*

(11.) £10,980, Repayments to the Civil Contingencies Fund.—After short debate, Vote *agreed to* 2012

REVENUE DEPARTMENTS.

(12.) £54,000, Inland Revenue.—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Sullivan*:)—Motion, by leave, *withdrawn*:—Vote *agreed to*

(13.) £42,373 19*s.* 6*d.*, Civil Services and Revenue Departments (Excesses 1875-6), viz.:— 2012

[Then the several Classes set forth.]

Vote *agreed to.*

(14.) £2,017 5*s.*, ASHANTEE EXPEDITION, 1875-6 (Excess) *agreed to.*

NAVY SUPPLEMENTARY ESTIMATES AND NAVY ESTIMATES.

(15.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment in respect of various 'Miscellaneous Services' during the year ending on the 31st day of March 1877" 2013

Motion made, and Question proposed, "That a Supplementary sum, not exceeding £4,000, be granted, &c.,"—(*Mr. David Jenkins*:)—After short debate, Question put, and *negatived.*

Original Question put, and *agreed to*:—Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £2,684,048, be granted to Her Majesty, to defray the Expense of Wages, &c. to Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1878" 2014

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again:"—Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again *To-morrow.*

Supreme Court of Judicature Bill [Bill 103]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 2015

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Parnell.*)

After short debate, Question proposed, "That the word 'now' stand part of the Question:"—Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Marine Mutiny Bill—

Moved, "That the Bill be now read a second time,"—(*Mr. Hunt*) .. 2018

Moved, "That the Debate be now adjourned,"—(*Mr. Biggar* :)—Question put:—The House *divided*; Ayes 14, Noes 221; Majority 207.—(Div. List, No. 37.)

After short debate, Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

Mutiny Bill—

Moved, "That the Bill be now read a second time,"—(*Mr. Gathorne Hardy*) 2019

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient that the Mutiny Bill should empower the Government to billet officers without making any payment to the occupiers of the houses on which the officers are billetted; also that where horses are billetted a fair price should be paid for forage and stable room,"—(*Captain Nolan*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Parnell*:)—Motion, by leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Question put, and *agreed to.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Justices Clerks Bill [Bill 5]—

Bill, as amended, *considered* 2021

After short debate, Bill to be read the third time *To-morrow.*

CRIMINAL PUNISHMENTS (IRELAND) (APPLICATIONS FOR REMISSIONS)—MOTION FOR A RETURN—

Moved, "That there be laid before this House, a Return of the number of Applications for total or partial Remissions of Criminal Punishments awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused," —(*Captain Nolan*) 2023

After short debate, Question put:—The House *divided*; Ayes 18, Noes 79; Majority 61.—(Div. List, No. 38.)

Public Health (Ireland) Bill—

Motion for Leave (*Sir Michael Hicks-Beach*) 2023

Motion *agreed to*:—Bill to consolidate and amend the Acts relating to Public Health in Ireland, *ordered* (*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 116.]

[*March* 15.] *Page*

WAYS AND MEANS—*Considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1876 and 1877, the sum of £1,213,502 6*s* 9*d.* be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow ;* Committee to sit again *To-morrow.*

EMPLOYERS' LIABILITY FOR INJURIES TO THEIR SERVANTS—

Ordered, That the Select Committee of last Session, to inquire whether it may be expedient to render Masters liable for injuries occasioned to their Servants by the negligent acts of certificated managers of collieries, managers, foremen, and others to whom the general control and superintendence of workshops and works is committed, and whether the term "common employment" could be defined by legislative enactment more clearly than it is by Law as it at present stands, be re-appointed.

List of the Committee 2025

SOLDIERS, SAILORS, AND MARINES (CIVIL EMPLOYMENT)—

Ordered, That the Select Committee of last Session, to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for, be re-appointed.

List of the Committee 2025

Ordered, That the Minutes of the Evidence taken before the Select Committee on Soldiers, Sailors, and Marines (Civil Employment) in Session 1876 be referred to the Select Committee on Soldiers, Sailors, and Marines (Civil Employment),—(*Mr. Childers.*)

Norfolk and Suffolk Fisheries Bill—*Ordered* (*Mr. James Duff, Lord Rendlesham, Mr. Colman*) ; *presented,* and read the first time [Bill 117] 2026

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

NEW PEERS.

THURSDAY, FEBRUARY 8, 1877.

The Right Honourable Sir William Coutts Keppel (commonly called Viscount Bury), K.C.M.G., summoned by Writ to the House of Lords in his father's barony of Ashford of Ashford in the County of Kent —Was (in the usual manner) introduced.

John Thomas Lord Redesdale, having been created Earl of Redesdale in the County of Northumberland—Was (in the usual manner) introduced.

Mortimer Sackville West, Esquire, commonly called the Honourable Mortimer Sackville West, having been created Baron Sackville of Knole in the County of Kent—Was (in the usual manner) introduced.

Sir Richard Airey, G.C.B., General in Her Majesty's Army, late Adjutant General to Her Majesty's Forces, having been created Baron Airey of Killingworth in the County of Northumberland — Was (in the usual manner) introduced.

The Right Honourable Benjamin Disraeli (Lord Privy Seal) having been created Viscount Hughenden of Hughenden in the County of Buckingham and Earl of Beaconsfield in the said County — Was (in the usual manner) introduced.

SAT FIRST.

THURSDAY, FEBRUARY 8, 1877.

The Lord Ribblesdale, after the death of his Father.
The Lord Sandhurst, after the death of his Father.
The Lord Lyttelton, after the death of his Father.
The Earl of Suffolk and Berkshire, after the death of his Father.

TUESDAY, FEBRUARY 13.

The Earl of Lonsdale, after the death of his Father.

REPRESENTATIVE PEERS FOR SCOTLAND (*Certificates.*)

THURSDAY, FEBRUARY 8.

Earl of Mar and Kellie, *v.* Marquess of Tweddale, deceased.
Lord Balfour of Burley, *v.* Earl of Leven and Melville, deceased.

COMMONS.

NEW WRITS ISSUED.

DURING RECESS—

For *Buckingham County*, *v.* Right honble. Benjamin Disraeli, now Earl of Beaconsfield.

For *Universities of Glasgow and Aberdeen*, *v.* Right honble. Edward Strathearn Gordon, Lord of Appeal in Ordinary.

For *Salop County* (Southern Division), *v.* Right honble. Sir Percy Egerton Herbert, K.C.B., deceased.

For *Frome*, *v.* Henry Charles Lopes, esquire, a Judge of Her Majesty's High Court of Justice.

For *Liskeard*, *v.* Right honble. Edward Horsman, deceased.

For *Waterford County*, *v.* Sir John Esmonde, baronet, deceased.

For *Sligo County*, *v.* Sir Robert Gore Booth, baronet, deceased.

THURSDAY, FEBRUARY, 8, 1877.

For *Dublin University*, *v.* Edward Gibson, esquire, Attorney General for Ireland.

FRIDAY, FEBRUARY 9.

For *Wilton*, *v.* Sir Edmund Antrobus, baronet, Chiltern Hundreds.

MONDAY, FEBRUARY 12.

For *Halifax*, *v.* John Crossley esquire, Chiltern Hundreds.

MONDAY, FEBRUARY 19.

For *Oldham*, *v.* John Morgan Cobbett, esquire, deceased.

FRIDAY, FEBRUARY 23.

For *Launceston*, *v.* James Henry Deakin, esquire, Manor of Northstead.

NEW MEMBERS SWORN.

THURSDAY, FEBRUARY 8, 1877.

Buckingham County—Honble. Thomas Francis Fremantle.
Frome—Henry Bernhard Samuelson, esquire.
Liskeard—Leonard Henry Courtney, esquire.
Donegal County—William Wilson, esquire.
Leeds—John Barran, esquire.
Rutland County—Right honble. Gerard James Noel.
Universities of Glasgow and Aberdeen—William Watson, esquire.

MONDAY, FEBRUARY 12.

Salop County (Southern Division)—John Edmund Severne esquire.

TUESDAY, FEBRUARY 13.

Waterford County—James Delahunty, esquire.

MONDAY, FEBRUARY 19.

The College of the Holy Trinity, Dublin—Right honble. Edward Gibson.

THURSDAY, FEBRUARY 22.

Halifax—John Dyson Hutchinson, esquire.
Sligo County—Edward Robert King-Harman, esquire.
Wilton—Honble. Sidney Herbert.

MONDAY, MARCH 5.

Oldham—John Tomlinson Hibbert, esquire.
Launceston—Sir Hardinge Stanley Giffard.

THE MINISTRY

Of the Right Honourable the Earl of BEACONSFIELD,

At the Commencement of the Fourth Session of the 21st Parliament,

February 8, 1877.

THE CABINET.

First Lord of the Treasury and Lord Privy Seal	Right Hon. Earl of Beaconsfield.
Lord Chancellor	Right Hon. Lord Cairns.
President of the Council	His Grace the Duke of Richmond and Gordon, K.G.
Chancellor of the Exchequer.	Right Hon. Sir Stafford Henry Northcote, Bt.
Secretary of State, Home Department	Right Hon. Richard Assheton Cross.
Secretary of State, Foreign Department	Right Hon. Earl of Derby.
Secretary of State for the Colonies	Right Hon. Earl of Carnarvon.
Secretary of State for War	Right Hon. Gathorne Hardy.
Secretary of State for India	Most Hon. Marquess of Salisbury.
First Lord of the Admiralty	Right Hon. George Ward Hunt.
Postmaster General	Right Hon. Lord John J. R. Manners.
Chief Secretary to the Lord Lieutenant	Right Hon. Sir Michael Edward Hicks-Beach, Bt.

NOT IN THE CABINET.

Field Marshal Commanding in Chief	H.R.H. the Duke of Cambridge, K.G.
Chief Commissioner of Works and Public Buildings	Right Hon. Gerard James Noel.
Chancellor of the Duchy of Lancaster	Right Hon. Thomas Edward Taylor.
Vice President of the Committee of Council for Education	Right Hon. Viscount Sandon.
President of the Board of Trade	Right Hon. Sir Charles Bowyer Adderley, Bart.
President of the Local Government Board	Right Hon. George Sclater-Booth.
Lords of the Treasury	Earl Stanhope. Rowland Winn, Esq. Sir James Dalrymple Horn Elphinstone, Bt.
Lords of the Admiralty	Admiral Sir H. R. Yelverton, Vice Admiral A. W. A. Hood, Rear Admiral Lord Gilford, and Sir Massey Lopes, Bart.
Joint Secretaries of the Treasury	Sir William Hart Dyke, Bart. William Henry Smith, Esq.
Secretary of the Admiralty	Hon. Algernon T. Fulke Egerton.
Secretary to the Board of Trade	Hon. Edward Stanhope.
Secretary to the Local Government Board	Thomas Salt, Esq.
Under Secretary, Home Department	Sir Henry Selwin Ibbetson, Bt.
Under Secretary, Foreign Department	Hon. Robert Bourke.
Under Secretary for Colonies	James Lowther, Esq.
Under Secretary for War	Earl Cadogan.
Under Secretary for India	Lord George F. Hamilton.
Paymaster General	Right Hon. Stephen Cave.
Judge Advocate	Right Hon. George F. C. Bentinck.
Attorney General	Sir John Holker, Knt.
Solicitor General	Sir Hardinge S. Giffard, Knt.

SCOTLAND.

Lord Advocate	Right Hon. William Watson.
Solicitor General	J. H. A. Macdonald, Esq.

IRELAND.

Lord Lieutenant	His Grace the Duke of Marlborough, K.G.
Lord Chancellor	Right Hon. John Thomas Ball.
Chief Secretary to the Lord Lieutenant	Right Hon. Sir Michael Edward Hicks-Beach, Bt.
Attorney General	Right Hon. Edward Gibson.
Solicitor General	G. Fitzgibbon, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl Beauchamp.
Lord Chamberlain	Most Hon. Marquess of Hertford.
Master of the Horse	Right Hon. Earl of Bradford.
Treasurer of the Household	Lord Henry Thynne.
Comptroller of the Household	Right Hon. Lord Henry Somerset.
Vice Chamberlain of the Household	Viscount Barrington.
Captain of the Corps of Gentlemen at Arms	Most Hon. Marquess of Exeter.
Captain of the Yeomen of the Guard	Right Hon. Lord Skelmersdale.
Master of the Buckhounds	Right Hon. Earl of Hardwicke.
Chief Equerry and Clerk Marshal	Lord Alfred H. Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL

In the Fourth Session of the Twenty-first Parliament of the United Kingdom of Great Britain and Ireland.

40° VICTORIÆ 1877.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness Alfred Ernest Albert Duke of Edinburgh.

His Royal Highness Arthur William Patrick Albert Duke of Connaught and Strathearn.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

Archibald Campbell Archbishop of Canterbury.

Hugh Mac Calmont Lord Cairns, *Lord Chancellor.*

William Archbishop of York.

Charles Henry Duke of Richmond. *Lord President of the Council.*

Benjamin Earl of Beaconsfield. *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Henry Duke of Richmond. (*In another Place as Lord President of the Council.*)

William Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds.

Francis Charles Hastings Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough.

Charles Cecil John Duke of Rutland.

William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Alexander Duke of Newcastle.

Algernon George Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Campbell Duke of Buckingham and Chandos.

George Granville William Duke of Sutherland.

Harry George Duke of Cleveland.

Hugh Lupus Duke of Westminster.

Francis Hugh George Marquess of Hertford, *Lord Chamberlain of the Household.*

John Marquess of Winchester.

John Sholto Marquess of Queensberry. (*Elected for Scotland.*)

Henry Charles Keith Marquess of Lansdowne.

John Villiers Stuart Marquess Townshend.

Robert Arthur Talbot Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn. (*Duke of Abercorn.*)

Francis Hugh George Marquess of Hertford. (*In another Place as Lord Chamberlain of the Household.*)

John Patrick Marquess of Bute.

William Alleyne Marquess of Exeter.

Charles Marquess of Northampton.
John Charles Marquess Camden.
Henry William George Marquess of Anglesey.
William Henry Hugh Marquess of Cholmondeley.
George William Frederick Marquess of Ailesbury.
Frederick William John Marquess of Bristol.
Archibald Marquess of Ailsa.
George Augustus Constantine Marquess of Normanby.
George Frederick Samuel Marquess of Ripon.
William Marquess of Abergavenny.

Frederick Earl Beauchamp, *Lord Steward of the Household.*
Charles John Earl of Shrewsbury.
Edward Henry Earl of Derby.
Francis Power Plantagenet Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
William Reginald Earl of Devon.
Henry Charles Earl of Suffolk and Berkshire.
Rudolph William Basil Earl of Denbigh.
Francis William Henry Earl of Westmorland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George James Earl of Winchilsea and Nottingham.
George Philip Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
William George Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
———— Earl of Berkeley.
Montagu Earl of Abingdon.
Richard George Earl of Scarbrough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
Victor Albert George Earl of Jersey.
William Henry Earl Poulett.
Sholto John Earl of Morton. (*Elected for Scotland.*)
Walter Henry Earl of Mar and Kellie. (*Elected for Scotland.*)
Claude Earl of Strathmore and Kinghorn. (*Elected for Scotland.*)
George Earl of Haddington. (*Elected for Scotland.*)
Thomas Earl of Lauderdale. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Sewallis Edward Earl Ferrers.
William Walter Earl of Dartmouth.
Charles Earl of Tankerville.
Heneage Earl of Aylesford.
Francis Thomas De Grey Earl Cowper.
Arthur Philip Earl Stanhope.
Thomas Augustus Wolstenholme Earl of Macclesfield.
Douglas Beresford Malise Ronald Earl Graham. (*Duke of Montrose.*)
William Frederick Earl Waldegrave.
Bertram Earl of Ashburnham.
Charles Wyndham Earl of Harrington.
Isaac Newton Earl of Portsmouth.
George Guy Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.
William Thomas Spencer Earl Fitzwilliam.
Dudley Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
Henry Edward Earl of Ilchester.
Reginald Windsor Earl De La Warr.
Jacob Earl of Radnor.
John Poyntz Earl Spencer.
William Lennox Earl Bathurst.
Arthur Wills John Wellington Blundell Trumbull Earl of Hillsborough. (*Marquess of Downshire.*)
Edward Hyde Earl of Clarendon.
William David Earl of Mansfield.
John James Hugh Henry Earl Strange. (*Duke of Atholl.*)
William Henry Earl of Mount Edgcumbe.
Hugh Earl Fortescue.
Henry Howard Molyneux Earl of Carnarvon.
George Henry Earl Cadogan.
James Howard Earl of Malmesbury.

John Vansittart Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

Charles Francis Arnold Earl of Wicklow. (*Elected for Ireland.*)

John Henry Reginald Earl of Clonmell. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

Francis Robert Earl of Rosslyn.

George Grimston Earl of Craven.

William Hillier Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Lawrence Earl of Rosse. (*Elected for Ireland.*)

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

St. George Henry Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Frederick Earl Beauchamp. (*In another Place as Lord Steward of the Household.*)

William Henry Hare Earl of Bantry. (*Elected for Ireland.*)

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Somers Earl Somers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane. (*Marquess of Londonderry.*)

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Alfred Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Lawrence Earl of Zetland.

Charles George Earl of Gainsborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Earl of Dudley.

John Earl Russell.

John Earl of Kimberley.

Richard Earl of Dartrey.

William Ernest Earl of Feversham.

Frederick Temple Earl of Dufferin.

John Robert Earl Sydney.

Henry Thomas Earl of Ravensworth.

Edward Montagu Stuart Granville Earl of Wharncliffe.

Thomas George Earl of Northbrook.

Benjamin Earl of Beaconsfield. (*In another Place as Lord Privy Seal.*)

John Thomas Earl of Redesdale.

Robert Viscount Hereford.

William Henry Viscount Strathallan. (*Elected for Scotland.*)

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Charles William Viscount Leinster. (*Duke of Leinster.*)

Francis Wheler Viscount Hood.

Mervyn Viscount Powerscourt. (*Elected for Ireland.*)

James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Robert Viscount Melville.
William Wells Viscount Sidmouth.
George Frederick Viscount Templetown. (*Elected for Ireland.*)
John Campbell Viscount Gordon. (*Earl of Aberdeen.*)
Edward Fleetwood John Viscount Exmouth.
John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)
Richard Somerset Viscount Clancarty. (*Earl of Clancarty.*)
Wellington Henry Viscount Combermere.
John Henry Thomas Viscount Canterbury.
Rowland Clegg Viscount Hill.
Charles Stewart Viscount Hardinge.
George Stephens Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.
Charles Viscount Halifax.
Alexander Nelson Viscount Bridport.
Edward Berkeley Viscount Portman.
Edward Viscount Cardwell.

John Bishop of London.
Charles Bishop of Durham.
Edward Harold Bishop of Winchester.
Alfred Bishop of Llandaff.
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
William Bishop of Chester.
Thomas Legh Bishop of Rochester.
George Augustus Bishop of Lichfield.
James Bishop of Hereford.
William Connor Bishop of Peterborough.
Christopher Bishop of Lincoln.
George Bishop of Salisbury.
Frederick Bishop of Exeter.
Harvey Bishop of Carlisle.
Arthur Charles Bishop of Bath and Wells.
John Fielder Bishop of Oxford.
James Bishop of Manchester.
Richard Bishop of Chichester.
Joshua Bishop of St. Asaph.
James Russell Bishop of Ely.

Dudley Charles Lord De Ros.
George Manners, Lord Hastings.
Edward Southwell Lord De Clifford.
Thomas Crosby William Lord Dacre.
Charles Henry Rolle Lord Clinton.
Robert Nathaniel Cecil George Lord Zouche of Haryngworth.
Charles Edward Hastings Lord Botreaux. (*Earl of Loudoun.*)
Thomas Lord Camoys.
Henry Lord Beaumont.
Alfred Joseph Lord Stourton.
Charles Edward Hastings Lord Hastings. (*Earl of Loudoun.*) (*In another Place as Lord Botreaux.*)
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon Lord Wentworth.
Robert George Lord Windsor.
St. Andrew Lord St. John of Bletso.
Frederick George Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
John Francis Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)
John Baptist Joseph Lord Dormer.
George Henry Lord Teynham.
Henry Valentine Lord Stafford.
George Frederick William Lord Byron.
Charles Hugh Lord Clifford of Chudleigh.
William Coutts Lord Ashford.
Horace Courtenay Lord Forbes. (*Elected for Scotland.*)
Alexander Lord Saltoun. (*Elected for Scotland.*)
James Lord Sinclair. (*Elected for Scotland.*)
William Buller Fullerton Lord Elphinstone. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

Alexander Hugh Lord Balfour of Burley. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

George Watson Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Florance Lord Boston.

Charles George Lord Lovel and Holland. (*Earl of Egmont.*)

Augustus Henry Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Edward Henry Julius Lord Hawke.

Henry Thomas Lord Foley.

Francis William Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Henry Lord Southampton.

Thomas Brinsley Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Gordon Cornwallis Lord Eliot.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Henry Bentinck Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Dudley Wilmot Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Charles Lord Gage. (*Viscount Gage.*)

Thomas John Lord Thurlow.

William George Lord Auckland.

Charles George William Lord Lyttelton.

Henry George Lord Mendip. (*Viscount Clifden.*)

George Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Alan Plantagenet Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William Lord Brodrick. (*Viscount Midleton.*)

Frederick Henry William Lord Calthorpe.

Peter Robert Lord Gwydir.

Charles Robert Lord Carrington.

William Henry Lord Bolton.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Theobald Fitz-Walter Lord Dunboyne. (*Elected for Ireland.*)

Edward Donough Lord Inchiquin. (*Elected for Ireland.*)

John Thomas William Lord Massey. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Charles Lord Headley. (*Elected for Ireland.*)

Edward Henry Churchill Lord Crofton. (*Elected for Ireland.*)

Dayrolles Blakeney Lord Ventry. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

William Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

Horace Lord Rivers.

Charles Edmund Lord Ellenborough.

Augustus Frederick Arthur Lord Sandys

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Monteagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Adrian Louis Lord Hopetoun. (*Earl of Hopetoun.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

George Frederick Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Robert Canning Lord Harris.

Reginald Charles Edward Lord Colchester.

Schomberg Henry Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Hugh Lord Delamere.

George Cecil Weld Lord Forester.

John William Lord Rayleigh.

Edric Frederic Lord Gifford.

Hubert Lord Somerhill. (*Marquess of Clanricarde.*)

Alexander William Crawford Lord Wigan. (*Earl of Crawford and Balcarres.*)

Uchter John Mark Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Charles Stuart Aubrey Lord Tenterden.

William Conyngham Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald Philip Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Draper Mortimer Lord Wynford.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Valentine Frederick Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Alexander Hugh Lord Ashburton.

Edward Richard Lord Hatherton.

George Henry Charles Lord Strafford.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Geoffrey Dominick Augustus Frederick Lord Oranmore and Browne. (*Elected for Ireland.*)

Simon Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Derrick Warner William Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

Arthur Lord Wrottesley.

Sudeley Charles George Tracy Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Henry Edward John Lord Stanley of Alderley.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Thomas Spring Lord Monteagle of Brandon.

James Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)
William Henry Forester Lord Londesborough.
Samuel Jones Lord Overstone.
Charles Robert Claude Lord Truro.
Arthur Lord De Freyne.
Edward Burtenshaw Lord Saint Leonards.
Richard Henry Fitz-Roy Lord Raglan.
Gilbert Henry Lord Aveland.
Valentine Augustus Lord Kenmare. (*Earl of Kenmare.*)
Richard Bickerton Pemell Lord Lyons.
Edward Lord Belper.
James Lord Talbot de Malahide.
Robert Lord Ebury.
James Lord Skene. (*Earl Fife.*)
William George Lord Chesham.
Frederic Lord Chelmsford.
John Lord Churston.
John Charles Lord Strathspey. (*Earl of Seafield.*)
Henry Lord Leconfield.
William Tatton Lord Egerton.
Godfrey Charles Lord Tredegar.
Fitzpatrick Henry Lord Lyveden.
William Lord Brougham and Vaux.
Richard Luttrell Pilkington Lord Westbury.
Francis William Fitzhardinge Lord Fitzhardinge.
Luke George Lord Annaly.
Richard Monckton Lord Houghton.
William Lord Romilly.
James Lord Barrogill. (*Earl of Caithness.*)
Thomas Lord Clermont.
James Herbert Gustavus Meredyth Lord Meredyth. (*Lord Athlumney.*)
Windham Thomas Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)
Charles Stanley Lord Monck. (*Viscount Monck.*)
John Major Lord Hartismere. (*Lord Henniker.*)
Edward Robert Lytton Lord Lytton.
Hedworth Hylton Lord Hylton.
Hugh Henry Lord Strathnairn.
Edward Gordon Lord Penrhyn.
Gustavus Russell Lord Brancepeth. (*Viscount Boyne.*)
Hugh Mac Calmont Lord Cairns. (*In another Place as Lord High Chancellor.*)
John Henry Lord Kesteven.
John Lord Ormathwaite.
William Lord O'Neill.
Robert Cornelis Lord Napier.
Jenico William Lord Gormanston. (*Viscount Gormanston.*)
William Page Lord Hatherley.
John Laird Mair Lord Lawrence.
James Plaisted Lord Penzance.
John Lord Dunning. (*Lord Rollo.*)
James Lord Balinhard. (*Earl of Southesk.*)
William Lord Hare. (*Earl of Listowel.*)
Edward George Lord Howard of Glossop.
John Lord Castletown.
John Emerich Edward Lord Acton.
Thomas James Lord Robartes.
George Grenfell Lord Wolverton.
Fulke Southwell Lord Greville.
Thomas Lord O'Hagan.
William Lord Sandhurst.
John Arthur Douglas Lord Bloomfield.
Frederic Lord Blachford.
Francis Lord Ettrick. (*Lord Napier.*)
John Lord Hanmer.
Roundell Lord Selborne.
Gavin Lord Breadalbane. (*Earl of Breadalbane.*)
James Charles Herbert Welbore Ellis Lord Somerton. (*Earl of Normanton.*)
Robert Alexander Shafto Lord Waveney.
Henry Austin Lord Aberdare.
Edward Granville George Lord Lanerton.
James Lord Moncreiff.
John Duke Lord Coleridge.
William Lord Emly.
Chichester Samuel Lord Carlingford.
Thomas Francis Lord Cottesloe.
Edmund Lord Hammond.
John Somerset Lord Hampton.
John Lord Winmarleigh.
Cospatrick Alexander Lord Douglas. (*Earl of Home.*)
George Lord Ramsay. (*Earl of Dalhousie.*)
Arthur Edward Holland Grey Lord Grey de Radcliffe.
John Lord Fermanagh. (*In another Place as Earl of Erne.*)
William Richard Lord Harlech.
Henry Gerard Lord Alington.
John Lord Tollemache.
Robert Tolver Lord Gerard.
Mortimer Lord Sackville.
Colin Lord Blackburn. (*A Lord of Appeal in Ordinary.*)
Edward Strathearn Lord Gordon of Drumearn. (*A Lord of Appeal in Ordinary.*)
Richard Lord Airey.

LIST OF THE COMMONS.

THE NAMES OF MEMBERS

Returned to serve in the Twenty-first Parliament of the United Kingdom of Great Britain and Ireland, summoned to meet at Westminster the Fifth Day of March, One Thousand Eight Hundred and Seventy-four, as by the several Returns filed in the Office of the Clerk of the Crown in Chancery appears: amended to the Opening of the Fourth Session on the 8th Day of February, 1877.

BEDFORD COUNTY.

Sir Richard Thomas Gilpin, bt.,
Marquess of Tavistock.

BEDFORD.

Samuel Whitbread,
Frederick Charles Polhill-Turner.

BERKS COUNTY.

Robert Loyd-Lindsay,
John Walter,
Philip Wroughton.

READING.

Sir Francis Henry Goldsmid, bt.,
George John Shaw Lefevre.

WINDSOR (NEW).

Robert Richardson Gardner.

WALLINGFORD.

Edward Wells.

ABINGDON.

John Creemer Clarke.

BUCKINGHAM COUNTY.

Sir Robert Bateson Harvey, bt.,
Nathaniel Grace Lambert,
Hon. Thomas Francis Freemantle.

AYLESBURY.

Sir Nathaniel Mayer de Rothschild, bt.,
Samuel George Smith.

BUCKINGHAM.

Egerton Hubbard.

MARLOW (GREAT).

Thomas Owen Wethered.

WYCOMBE (CHEPPING).

Hon. William Henry Peregrine Carington.

CAMBRIDGE COUNTY.

Rt. hon. Henry Bouverie William Brand,
Hon. Eliot Constantine Yorke,
Benjamin Bridges Hunter Rodwell.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Alexander James Beresford Beresford Hope.

CAMBRIDGE.

Alfred George Marten,
Patrick Boyle Smollett.

EAST CHESHIRE.

William John Legh,
William Cunliffe Brooks.

MID CHESHIRE.

Hon. Wilbraham Egerton,
Piers Egerton Warburton.

WEST CHESHIRE.

Sir Philip de Malpas Grey Egerton, bt.,
Hon. Wilbraham Frederick Tollemache.

MACCLESFIELD.

William Coare Brocklehurst,
David Chadwick.

STOCKPORT.

Charles Henry Hopwood,
Frederick Pennington.

BIRKENHEAD.

David Mac Iver.

CHESTER.

Henry Cecil Raikes,
Rt. hon. John George Dodson.

CORNWALL COUNTY.

(Eastern Division.)

Sir Colman Rashleigh, bt.,
John Tremayne.

(Western Division.)

Sir John Saint Aubyn, bt.,
Arthur Pendarves Vivian.

TRURO.

Sir Frederick Martin Williams, bt.,
Sir James Macnaghten Hogg.

PENRYN and FALMOUTH.

David James Jenkins,
Henry Thomas Cole.

BODMIN.

Hon. Edward Frederic Leveson-Gower.

LAUNCESTON.

James Henry Deakin, jun.

LISKEARD.

Leonard Henry Courtney.

HELSTON.

Adolphus William Young.

ST. IVES.

Charles Tyringham Praed.

CUMBERLAND COUNTY.

(Eastern Division.)

Hon. Charles Wentworth George Howard,
Edward Stafford Howard.

(Western Division.)

Hon. Percy Scawen Wyndham,
Rt. Hon. Jocelyn Francis Lord Muncaster.

CARLISLE.

Robert Ferguson,
Sir Wilfrid Lawson, bt.

COCKERMOUTH.

Isaac Fletcher.

WHITEHAVEN.

Rt. hon. George Augustus Frederick Cavendish Bentinck.

DERBY COUNTY.

(North Derbyshire.)

Lord George Henry Cavendish,
Augustus Peter Arkwright.

(South Derbyshire.)

Sir Henry Wilmot, bt.,
Thomas William Evans.

(East Derbyshire.)

Hon. Francis Egerton,
Francis Arkwright.

DERBY.

Michael Thomas Bass,
Samuel Plimsoll.

DEVON COUNTY.

(North Devonshire.)

Rt. hon. Sir Stafford Henry Northcote, bt.,
Sir Thomas Dyke Acland, bt.

(East Devonshire.)

Sir Lawrence Palk, bt.,
Sir John Henry Kennaway, bt.

(South Devonshire.)

Sir Lopes Massey Lopes, bt.,
John Carpenter Garnier.

TIVERTON.

Sir John Heathcoat Amory, bt.
Rt. hon. William Nathaniel Massey.

PLYMOUTH.

Edward Bates,
Sampson Samuel Lloyd.

BARNSTAPLE.

Thomas Cave,
Samuel Danks Waddy.

DEVONPORT.

John Henry Puleston,
George Edward Price.

TAVISTOCK.

Lord Arthur John Edward Russell.

EXETER.

Arthur Mills,
John George Johnson.

DORSET COUNTY.

John Floyer,
Hon. William Henry Berkeley Portman,
Hon. Edward Trafalgar Digby.

WEYMOUTH AND MELCOMBE REGIS.

Henry Edwards,
Sir Frederick John William Johnstone, bt.

DORCHESTER.

William Ernest Brymer.

BRIDPORT.

Pandeli Ralli.

SHAFTESBURY.

Vere Fane Benett-Stanford.

WAREHAM.

John Samuel Wanley Sawbridge Erle-Drax.

POOLE.

Hon. Anthony Evelyn Melbourne Ashley.

DURHAM COUNTY.

(Northern Division.)

Charles Mark Palmer,
Sir George Elliot, bt.

(Southern Division.)

Joseph Whitwell Pease,
Frederick Edward Blackett Beaumont.

DURHAM (CITY).

Farrer Herschell,
Sir Arthur Edward Middleton, bt.

SUNDERLAND.

Edward Temperley Gourley,
Sir Henry Marshman Havelock, bt.

GATESHEAD.

Walter Henry James.

SHIELDS (SOUTH).

James Cochran Stevenson.

DARLINGTON.

Edmund Backhouse.

HARTLEPOOL.

Isaac Lowthian Bell.

STOCKTON.

Joseph Dodds.

ESSEX COUNTY.

(West Essex.)

Sir Henry John Selwin Ibbetson, bt.,
Lord Eustace Henry Brownlow Gascoyne Cecil.

ESSEX COUNTY—*cont.*

(East Essex.)

James Round,
Samuel Brise Ruggles-Brise.

(South Essex.)

Thomas Charles Baring,
William Thomas Makins.

COLCHESTER.

Alexander Learmonth,
Herbert Bulkeley Praed.

MALDON.

George Montagu Warren Sandford.

HARWICH.

Henry Jervis White Jervis.

GLOUCESTER COUNTY.

(Eastern Division.)

Rt. hon. Sir Michael Edward Hicks-Beach, bt.
John Reginald Yorke.

(Western Division.)

Hon. Randall Edward Sherborne Plunkett,
Robert Nigel Fitzhardinge Kingscote.

STROUD.

Alfred John Stanton.
Samuel Stephens Marling.

TEWKESBURY.

William Edwin Price.

CIRENCESTER.

Allen Alexander Bathurst.

CHELTENHAM.

James Tynte Agg-Gardner.

GLOUCESTER.

William Killigrew Wait,
Charles James Monk.

HEREFORD COUNTY.

Sir Joseph Russell Bailey, bt.,
Michael Biddulph,
Daniel Peploe Peploe.

HEREFORD.

Evan Pateshall,
George Clive.

LEOMINSTER.

Thomas Blake.

HERTFORD COUNTY.

Thomas Frederick Halsey,
Abel Smith,
Hon. Henry Frederick Cowper.

HERTFORD.

Arthur James Balfour.

HUNTINGDON COUNTY.

Edward Fellowes,
Sir Henry Carstairs Pelly, bt.

HUNTINGDON.

Viscount Hinchingbrook.

KENT COUNTY.

(Eastern Division.)

Edward Leigh Pemberton,
William Deedes.

(West Kent.)

Sir Charles Henry Mills, bt.,
John Gilbert Talbot.

(Mid Kent.)

Hon. William Archer (Amherst) Viscount Holmesdale,
William Hart Dyke.

ROCHESTER.

Philip Wykeham-Martin,
Julian Goldsmid.

MAIDSTONE.

Sir John Lubbock, bt.,
Sir Sydney Hedley Waterlow, bt.

GREENWICH.

Thomas William Boord,
Rt. hon. William Ewart Gladstone.

CHATHAM.

John Eldon Gorst.

GRAVESEND.

Bedford Clapperton Trevelyan Pim.

CANTERBURY.

Henry Alexander Monro Butler-Johnstone,
Lewis Ashurst Majendie.

LANCASTER COUNTY.

(North Lancashire.)

Hon. Frederick Arthur Stanley,
Thomas Henry Clifton.

(North-east Lancashire.)

James Maden Holt,
John Pierce Chamberlain Starkie.

LANCASTER COUNTY—*cont.*

(South-east Lancashire.)

Hon. Algernon Fulke Egerton,
Edward Hardcastle.

(South-west Lancashire.)

Rt. hon. Richard Assheton Cross,
John Ireland Blackburne.

LIVERPOOL.

Hon. Dudley Francis Stuart (Ryder) Viscount Sandon,
John Torr,
William Rathbone.

MANCHESTER.

Hugh Birley,
Sir Thomas Bazley, bt.,
Jacob Bright.

PRESTON.

Edward Hermon,
Sir John Holker, knt.

WIGAN.

Hon. Lord Lindsay,
Thomas Knowles.

BOLTON.

John Hick,
John Kynaston Cross.

BLACKBURN.

William Edward Briggs.
Daniel Thwaites.

OLDHAM.

Frederick Lowten Spinks,
John Morgan Cobbett.

SALFORD.

Charles Edward Cawley,
William Thomas Charley.

CLITHEROE.

Ralph Assheton.

ASHTON-UNDER-LYNE.

Thomas Walton Mellor.

BURY.

Robert Needham Philips.

ROCHDALE.

Thomas Bayley Potter.

WARRINGTON.

Sir Gilbert Greenall, bt.

BURNLEY.

Peter Rylands.

STALEYBRIDGE.

Tom Harrop Sidebottom.

LEICESTER COUNTY.

(Northern Division.)

Rt. hon. Lord John James Robert Manners,
Samuel William Clowes.

(Southern Division.)

Albert Pell,
William Unwin Heygate.

LEICESTER.

Peter Alfred Taylor,
Alexander M'Arthur.

LINCOLN COUNTY.

(North Lincolnshire.)

Sir John Dugdale Astley, bt.,
Rowland Winn.

(Mid Lincolnshire.)

Henry Chaplin,
Hon. Edward Stanhope.

(South Lincolnshire.)

Sir William Earle Welby-Gregory, bt.,
Edmund Turnor.

GRANTHAM.

Sir Hugh Arthur Henry Cholmeley, bt.,
Henry Francis Cockayne Cust.

BOSTON.

William James Ingram,
John Wingfield Malcolm.

STAMFORD.

Rt. hon. Sir John Charles Dalrymple Hay, bt.

GRIMSBY (GREAT).

John Chapman.

LINCOLN.

Edward Chaplin,
Charles Seely.

MIDDLESEX COUNTY.

Lord George Francis Hamilton,
Octavius Edward Coope.

WESTMINSTER.

William Henry Smith,
Sir Charles Russell, bt.

TOWER HAMLETS.

Charles Thompson Ritchie,
Joseph D'Aguilar Samuda.

HACKNEY.

John Holms,
Henry Fawcett.

FINSBURY.

William Torrens M'Cullagh Torrens,
Sir Andrew Lusk, bt.

MARYLEBONE.

William Forsyth,
Sir Thomas Chambers, knt.

CHELSEA.

Sir Charles Wentworth Dilke, bt.,
William Gordon.

LONDON (UNIVERSITY).
Rt. hon. Robert Lowe.

LONDON.
William James Richmond Cotton,
Philip Twells,
Rt. hon. John Gellibrand Hubbard,
Rt. hon. George Joachim Goschen.

MONMOUTH COUNTY.
Hon. Lord Henry Richard Charles Somerset,
Hon. Frederick Courtenay Morgan.

MONMOUTH.
Thomas Cordes.

NORFOLK COUNTY.
(West Norfolk.)
Sir William Bagge, bt.,
George William Pierrepont Bentinck.

(North Norfolk.)
Sir Edmund Henry Knowles Lacon, bt.,
James Duff.

(South Norfolk.)
Clare Sewell Read,
Sir Robert Jacob Buxton, bt.

LYNN REGIS.
Hon. Robert Bourke,
Lord Claud John Hamilton.

NORWICH.
Jeremiah James Colman,

NORTHAMPTON COUNTY.
(Northern Division.)
Rt. hon. George Ward Hunt,
Sackville George Stopford-Sackville.

(Southern Division.)
Sir Rainald Knightley, bt.,
Fairfax William Cartwright.

PETERBOROUGH.
Thompson Hankey,
George Hammond Whalley.

NORTHAMPTON.
Pickering Phipps,
Charles George Merewether.

NORTHUMBERLAND COUNTY.
(Northern Division.)
Rt. hon. Henry George (Percy) Earl Percy,
Matthew White Ridley.

NORTHUMBERLAND COUNTY —*cont.*

(Southern Division.)
Wentworth Blackett Beaumont,
Lord Eslington.

MORPETH.
Thomas Burt.

TYNEMOUTH.
Thomas Eustace Smith.

NEWCASTLE-UPON-TYNE.
Joseph Cowen,
Charles Frederick Hamond.

BERWICK-UPON-TWEED.
Sir Dudley Coutts Marjoribanks, bt.,
David Milne Home.

NOTTINGHAM COUNTY.
(Northern Division.)
Frederick Chatfield Smith,
Viscount Galway.

(Southern Division).
Thomas Blackborne Thoroton Hildyard,
George Storer.

NEWARK-UPON-TRENT.
Thomas Earp,
Samuel Boteler Bristowe.

RETFORD (EAST).
Francis John Savile Foljambe,
William Beckett Denison.

NOTTINGHAM.
William Evelyn Denison,
Saul Isaac.

OXFORD COUNTY.
Rt. hon. Joseph Warner Henley,
John Sidney North,
William Cornwallis Cartwright.

OXFORD (UNIVERSITY).
Rt. hon. Gathorne Hardy,
Rt. hon. John Robert Mowbray.

OXFORD (CITY).
Sir William George Granville Venables Vernon-Harcourt, knt.,
Alexander William Hall.

WOODSTOCK.
Lord Randolph Henry Spencer Churchill.

BANBURY.
Bernhard Samuelson.

RUTLAND COUNTY.
Rt. hon. Gerard James Noel,
George Henry Finch.

SALOP COUNTY.
(Northern Division.)
Hon. George Cecil Orlando (Bridgeman) Viscount Newport,
Stanley Leighton.

(Southern Division.)
Edward Corbett.
John Edmund Severne.

SHREWSBURY.
Charles Cecil Cotes,
Henry Robertson.

WENLOCK.
Alexander Hargreaves Brown,
Cecil Theodore Weld Forester.

LUDLOW.
Hon. George Herbert Windsor Windsor-Clive.

BRIDGNORTH.
William Henry Foster.

SOMERSET COUNTY.
(East Somerset.)
Ralph Shuttleworth Allen,
Richard Bright.

(Mid Somerset.)
Richard Horner Paget,
Ralph Neville Grenville.

(West Somerset.)
Hon. Arthur Wellington Alexander Nelson Hood,
Vaughan Hanning Vaughan-Lee.

BATH.
Arthur Divett Hayter,
Nathaniel George Philips Bousfield.

TAUNTON.
Alexander Charles Barclay,
Sir Henry James, knt.

FROME.
Henry Bernhard Samuelson.

BRISTOL.
Kirkman Daniel Hodgson,
Samuel Morley.

SOUTHAMPTON COUNTY.

(Northern Division.)

Rt. hon. George Sclater-Booth,
William Wither Bramston Beach.

(Southern Division.)

Lord Henry John Montagu-Douglas-Scott,
Rt. hon. William Francis Cowper-Temple.

WINCHESTER.

William Barrow Simonds,
Arthur Robert Naghten.

PORTSMOUTH.

Sir James Dalrymple Horn Elphinstone, bt.,
Hon. Thomas Charles Bruce,

LYMINGTON.

Edmund Hegan Kennard.

ANDOVER.

Henry Wellesley.

CHRISTCHURCH.

Sir Henry Drummond Wolff.

PETERSFIELD.

Hon. Sydney Hylton Jolliffe.

SOUTHAMPTON.

Sir Frederick Perkins, knt.,
Rt. hon. Russell Gurney.

STAFFORD COUNTY.

(North Staffordshire.)

Rt. hon. Sir Charles Bowyer Adderley, bt.,
Colin Minton Campbell.

(West Staffordshire.)

Alexander Staveley Hill,
Francis Monckton.

(East Staffordshire.)

Samuel Charles Allsopp,
Michael Arthur Bass.

STAFFORD.

Thomas Salt,
Alexander Macdonald.

TAMWORTH.

Rt. hon. Sir Robert Peel, bt.,
Robert William Hanbury.

NEWCASTLE-UNDER-LYME.

Sir Edmund Buckley, bt.,
William Shepherd Allen.

WOLVERHAMPTON.

Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

STOKE-UPON-TRENT.

Robert Heath,
Edward Vaughan Kenealy.

WALSALL.

Sir Charles Forster, bt.

WEDNESBURY.

Alexander Brogden.

LICHFIELD.

Richard Dyott.

SUFFOLK COUNTY.

(Eastern Division.)

Frederick Brook (Thellusson) Lord Rendlesham,
Frederick St. John Newdegate Barne.

(Western Division.)

Windsor Parker,
Thomas Thornhill.

IPSWICH.

Thomas Clement Cobbold,
James Redfoord Bulwer.

BURY ST. EDMUNDS.

Edward Greene,
Lord Francis Hervey.

EYE.

Rt. hon. George William Viscount Barrington.

SURREY COUNTY.

(East Surrey.)

James Watney,
William Grantham.

(Mid Surrey.)

Sir Henry William Peek, bt.
Sir James John Trevor Lawrence, bt.

(West Surrey.)

George Cubitt,
Lee Steere.

SOUTHWARK.

John Locke,
Francis Marcus Beresford.

LAMBETH.

Sir James Clarke Lawrence, bt.
William McArthur.

GUILDFORD.

Denzil Roberts Onslow.

SUSSEX COUNTY.

(Eastern Division.)

George Burrow Gregory,
Montagu David Scott.

(Western Division.)

Sir Walter Barttelot Barttelot, bt.,
Hon. Charles Henry (Gordon Lennox) Earl of March.

SHOREHAM (NEW).

Rt. hon. Stephen Cave,
Sir Walter Wm. Burrell, bt.

BRIGHTHELMSTONE.

James Lloyd Ashbury,
Charles Cameron Shute.

CHICHESTER.

Rt. hon. Lord Henry George Charles Gordon Lennox.

LEWES.

William Langham Christie.

HORSHAM.

James Clifton Brown.

MIDHURST.

Sir Henry Thurston Holland, bt.

WARWICK COUNTY.

(Northern Division.)

Charles Newdigate Newdegate,
William Bromley Davenport.

(Southern Division.)

Hugh (de Grey Seymour) Earl of Yarmouth.
Sir John Eardley Eardley Wilmot, bt.

BIRMINGHAM.

Philip Henry Muntz,
Rt. hon. John Bright,
Joseph Chamberlain.

WARWICK.

George William John Repton,
Arthur Wellesley Peel.

COVENTRY.

Henry William Eaton,
Sir Henry Mather Jackson, bt.

WESTMORELAND COUNTY.

Hon. Thomas (Taylour) Earl of Bective,
Hon. William Lowther.

KENDAL.

John Whitwell.

(WIGHT) ISLE OF.

Alexander Dundas Wishart Ross Baillie Cochrane.

NEWPORT, ISLE OF WIGHT.

Charles Cavendish Clifford.

WILTS COUNTY.

(Northern Division.)

George Thomas John Bucknall Estcourt,
Sir George Samuel Jenkinson, bt.

(Southern Division.)

Rt. hon. Lord Henry Frederick Thynne,
Hon. (William Pleydell Bouverie) Viscount Folkestone.

NEW SARUM (SALISBURY).

Granville Richard Ryder,
John Alfred Lush.

CRICKLADE.

Sir Daniel Gooch, bt.,
Ambrose Lethbridge Goddard.

DEVIZES.
Sir Thomas Bateson, bt.

MARLBOROUGH.
Rt. hon. Lord Ernest Augustus Charles Brudenell-Bruce.

CHIPPENHAM.
Gabriel Goldney.

CALNE.
Lord Edmond Fitzmaurice.

MALMESBURY.
Walter Powell.

WESTBURY.
Abraham Laverton.

WILTON.
Sir Edmund Antrobus, bt.

WORCESTER COUNTY.
(*Eastern Division.*)

Henry Allsopp,
Thomas Eades Walker.

(*Western Division.*)

Frederick Winn Knight,
Sir Edmund Anthoney Harley Lechmere, bt.

EVESHAM.
James Bourne.

DROITWICH.
John Corbett.

BEWDLEY.
Charles Harrison.

DUDLEY.
Henry Brinsley Sheridan.

KIDDERMINSTER.
Sir William Augustus Fraser, bt.

WORCESTER.
Alexander Clunes Sherriff,
Thomas Rowley Hill.

YORK COUNTY.
(*North Riding.*)

Rt. hon. William Reginald (Duncombe) Viscount Helmsley,
Frederick Acclom Milbank.

(*East Riding.*)

Christopher Sykes,
William Henry Harrison Broadley.

(*West Riding, Northern Division.*)

Lord Frederick Charles Cavendish,
Sir Matthew Wilson, bt.

(*West Riding, Eastern Division.*)

Christopher Beckett Denison,
Joshua Fielden.

(*West Riding, Southern Division.*)

Walter Thomas William Spencer Stanhope,
Lewis Randal Starkey.

York County—*cont.*

LEEDS.
William St. James Wheelhouse,
Robert Tennant,
John Barran.

PONTEFRACT.
Rt. hon. Hugh Culling Eardley Childers,
Samuel Waterhouse.

SCARBOROUGH.
Sir Charles Legard, bt.,
Sir Harcourt Vanden Bempde Johnstone, bt.

SHEFFIELD.
John Arthur Roebuck,
Anthony John Mundella.

BRADFORD.
Rt. hon. William Edward Forster,
Henry William Ripley.

HALIFAX.
John Crossley,
Rt. hon. James Stansfeld.

KNARESBOROUGH.
Basil Thomas Woodd.

MALTON.
Hon. Charles William Wentworth-Fitzwilliam.

RICHMOND.
Hon. John Charles Dundas.

RIPON.
Rt. hon. Frederick Oliver (Robinson) Earl de Grey.

HUDDERSFIELD.
Edward Aldam Leatham.

THIRSK.
Sir William Payne Gallwey, bt.

NORTHALLERTON.
George William Elliot.

WAKEFIELD.
Thomas Kemp Sanderson.

WHITBY.
William Henry Gladstone.

YORK CITY.
George Leeman,
James Lowther.

MIDDLESBOROUGH.
Henry William Ferdinand Bolckow.

DEWSBURY.
John Simon.

KINGSTON-UPON-HULL.
Charles Henry Wilson,
Charles Morgan Norwood.

BARONS OF THE CINQUE PORTS.

DOVER.
Charles Kaye Freshfield,
Alexander George Dickson.

Barons of the Cinque Ports—*cont.*

HASTINGS.
Thomas Brassey,
Ughtred James Kay-Shuttleworth.

SANDWICH.
Henry Arthur Brassey,
Rt. hon. Edward Hugessen Knatchbull-Hugessen.

HYTHE.
Sir Edward William Watkin.

RYE.
John Stewart Hardy.

WALES.

ANGLESEA COUNTY.
Richard Davies.

BEAUMARIS.
Morgan Lloyd.

BRECKNOCK COUNTY.
William Fuller Maitland.

BRECKNOCK.
James Price William Gwynne Holford.

CARDIGAN COUNTY.
Thomas Edward Lloyd.

CARDIGAN, &c.
David Davies.

CARMARTHEN COUNTY.
Hon. (Frederick Archibald Vaughan Campbell) Viscount Emlyn,
John Jones.

CARMARTHEN, &c.
Emile Algernon Arthur Keppell Cowell Stepney.

CARNARVON COUNTY.
Hon. George Sholto Douglas Pennant.

CARNARVON, &c.
William Bulkeley Hughes.

DENBIGH COUNTY.
Sir Watkin Williams Wynn, bt.,
George Osborne Morgan.

DENBIGH, &c.
Watkin Williams.

FLINT COUNTY.
Hon. Lord Richard de Aquila Grosvenor.

FLINT, &c.
Peter Ellis Eyton.

GLAMORGAN COUNTY.
Henry Hussey Vivian,
Christopher Rice Mansel Talbot.

GLAMORGAN COUNTY—*cont.*

MERTHYR TYDVIL.

Henry Richard,

Richard Fothergill.

CARDIFF, &c.

James Frederick Dudley Crichton-Stuart.

SWANSEA, &c.

Lewis Llewelyn Dillwyn.

MERIONETH COUNTY.

Samuel Holland.

MONTGOMERY COUNTY.

Charles Watkin Williams Wynn.

MONTGOMERY, &c.

Hon. Charles Douglas Richard Hanbury-Tracy.

PEMBROKE COUNTY.

James Bevan Bowen.

PEMBROKE, &c.

Edward James Reed, C.B.

HAVERFORDWEST.

Hon. William Baron Kensington.

RADNOR COUNTY.

Hon. Arthur Walsh.

NEW RADNOR.

Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

SCOTLAND.

ABERDEENSHIRE.

(*East Aberdeenshire.*)

Sir Alexander Hamilton Gordon, knt.

(*West Aberdeenshire.*)

Lord William Douglas Cope Gordon.

ABERDEEN.

John Farley Leith.

ARGYLE.

John Douglas Sutherland (Campbell) Marquess of Lorne.

AYR.

(*North Ayrshire.*)

Roger Montgomerie.

(*South Ayrshire.*)

Claud Alexander.

KILMARNOCK, RENFREW, &c.

James Fortescue Harrison.

BURGHS OF AYR, &c.

Sir William James Montgomery Cuninghame, bt.

BANFF.

Robert William Duff.

BERWICK.

Hon. Rbt. Baillie-Hamilton

BUTE.

Charles Dalrymple.

CAITHNESSSHIRE.

Sir John George Tollemache Sinclair, bt.

WICK, KIRKWALL, &c.

John Pender.

CLACKMANNAN AND KINROSS.

Rt. hon. William Patrick Adam.

DUMBARTON.

Archibald Orr Ewing.

DUMFRIESSHIRE.

John James Hope-Johnstone.

DUMFRIES, &c.

Ernest Noel.

EDINBURGHSHIRE.

Rt. hon. William Henry (Montagu Douglas Scott) Earl of Dalkeith.

EDINBURGH.

Duncan McLaren,

James Cowan.

UNIVERSITIES OF EDINBURGH AND ST. ANDREWS.

Rt. hon. Lyon Playfair.

BURGHS OF LEITH, &c.

Donald Robert Macgregor.

ELGIN AND NAIRN.

Hon. Alexander William George (Duff) Viscount Macduff.

BURGHS OF ELGIN, &c.

Mountstuart Elphinstone Grant Duff.

FALKIRK, &c. BURGHS.

John Ramsay.

FIFE.

Sir Robert Anstruther, bt.

BURGHS OF ST. ANDREWS.

Edward Ellice.

KIRKCALDY, DYSART, &c.

Sir George Campbell, knt.

FORFAR.

James William Barclay.

TOWN OF DUNDEE.

James Yeaman,

Edward Jenkins.

MONTROSE, &c.

Rt. hon. William Edward Baxter.

HADDINGTON.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON BURGHS.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS.

Donald Cameron.

INVERNESS, &c.

Charles Fraser Mackintosh.

KINCARDINESHIRE.

Sir George Balfour, K.C.B.

KIRKCUDBRIGHT.

John Maitland.

LANARK.

(*North Lanarkshire.*)

Sir Thomas Edward Colebrooke, bt.

(*South Lanarkshire.*)

Sir Windham Charles James Carmichael - Anstruther, bt.

GLASGOW.

Charles Cameron,

George Anderson,

Alexander Whitelaw.

UNIVERSITIES OF GLASGOW AND ABERDEEN.

Rt. hon. William Watson.

LINLITHGOW.

Peter McLagan.

ORKNEY AND SHETLAND.

Samuel Laing.

PEEBLES AND SELKIRK.

Sir Graham Graham Montgomery, bt.

PERTH.

Sir William Sterling Maxwell, bt.

TOWN OF PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

William Mure.

PAISLEY.

William Holms.

GREENOCK.

James Johnstone Grieve.

ROSS AND CROMARTY.

Alexander Matheson.

ROXBURGH.

Sir George Henry Scott Douglas, bt.

HAWICK, SELKIRK, &c.

George Otto Trevelyan.

STIRLING.

Sir William Edmonstone, bt.

STIRLING, &c.

Henry Campbell-Bannerman.

SUTHERLAND.

Hon. (Cromartie Leveson Gower) Marquess of Stafford.

WIGTON.

Robert Vans Agnew.

WIGTON, &c. BURGHS.

Mark John Stewart.

IRELAND.

ANTRIM COUNTY.

James Chaine,

Hon. Edward O'Neill.

BELFAST.

James Porter Corry,

William Johnston.

LISBURN.
Sir Richard Wallace, bt.

CARRICKFERGUS.
Marriott Robert Dalway.

ARMAGH COUNTY.
Edward Wingfield Verner,
Maxwell Charles Close.

ARMAGH (CITY).
George De La Poer Beresford.

CARLOW COUNTY.
Henry Bruen,
Arthur MacMorrough Kavanagh.

CARLOW (BOROUGH).
Henry Owen Lewis.

CAVAN COUNTY.
Charles Joseph Fay,
Joseph Gillis Biggar.

CLARE COUNTY.
Rt. hon. Sir Colman Michael O'Loghlen, bt.,
Rt. hon. Lord Francis Conyngham.

ENNIS.
William Stacpoole.

CORK COUNTY.
McCarthy Downing,
William Shaw.

CORK (CITY).
Nicholas Daniel Murphy.
William Goulding.

BANDON BRIDGE.
Alexander Swanston.

YOUGHAL.
Sir Joseph Neale McKenna, knt.

KINSALE.
Eugene Collins.

MALLOW.
John George MacCarthy.

DONEGAL COUNTY.
Hon. James (Hamilton) Marquess of Hamilton,
William Wilson.

DOWN COUNTY.
Hon. Lord Arthur Edwin Hill-Trevor,
James Sharman Crawford.

NEWRY.
William Whitworth.

DOWNPATRICK.
John Mulholland.

DUBLIN COUNTY.
Ion Trant Hamilton,
Rt. hon. Thomas Edward Taylor.

DUBLIN (CITY).
Sir Arthur Edward Guinness, bt.,
Maurice Brooks.

DUBLIN UNIVERSITY.
Hon. David Rbt. Plunket.

FERMANAGH.
William Humphrys Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
Hon. John Henry (Crichton) Viscount Crichton.

GALWAY COUNTY.
John Philip Nolan,
Mitchell Henry.

GALWAY (BOROUGH).
George Morris,
Michael Francis Ward.

KERRY.
Henry Arthur Herbert,
Rowland Ponsonby Blennerhassett.

TRALEE.
Daniel O'Donoghue, (The O'Donoghue).

KILDARE.
Charles Henry Meldon,
Rt. hon. William Henry Ford Cogan.

KILKENNY.
George Leopold Bryan,
Patrick Martin.

KILKENNY (CITY).
Benjamin Whitworth.

KING'S COUNTY.
Sir Patrick O'Brien, bt.,
David Sherlock.

LEITRIM COUNTY.
John Brady,
Francis O'Beirne.

LIMERICK COUNTY.
William Henry O'Sullivan,
Edmund John Synan.

LIMERICK (CITY).
Isaac Butt,
Richard O'Shaughnessy.

LONDONDERRY COUNTY.
Richard Smyth,
Rt. hon. Hugh Law.

COLERAINE.
Daniel Taylor.

LONDONDERRY (CITY).
Charles Edward Lewis.

LONGFORD COUNTY.
Myles William O'Reilly,
George Errington.

LOUTH COUNTY.
Alexander Martin Sullivan,
George Harley Kirk.

DUNDALK.
Philip Callan.

DROGHEDA.
William Hagarty O'Leary.

MAYO COUNTY.
George Ekins Browne,
John O'Connor Power.

MEATH COUNTY.
Nicholas Ennis,
Charles Stewart Parnell.

MONAGHAN COUNTY.
Sir John Leslie, bt.,
Sewallis Evelyn Shirley.

QUEEN'S COUNTY.
Kenelm Thomas Digby,
Edmund Dease.

PORTARLINGTON.
Lionel Seymour William Dawson-Damer.

ROSCOMMON COUNTY.
Charles Owen O'Conor (The O'Conor Don),
Hon. Charles French.

SLIGO COUNTY.
Denis Maurice O'Conor.
Edward Robert King Harman.

TIPPERARY COUNTY.
Stephen Moore,
Hon. William Frederick Ormonde O'Callaghan.

CLONMEL.
Arthur John Moore.

TYRONE COUNTY.
John William Ellison Macartney,
Hon. Henry William Lowry-Corry.

DUNGANNON.
Thomas Alexander Dickson.

WATERFORD COUNTY.
Lord Charles William De la Poer Beresford,
James Delahunty.

DUNGARVAN.
John O'Keeffe.

WATERFORD (CITY).
Richard Power,
Purcell O'Gorman.

WESTMEATH COUNTY.
Patrick James Smyth,
Rt. hon. Lord Robert Montagu.

ATHLONE.
Edward Sheil.

WEXFORD COUNTY.
Sir George Bowyer, bt.,
Keyes O'Clery.

WEXFORD (BOROUGH).
William Archer Redmond.

NEW ROSS.
John Dunbar.

WICKLOW COUNTY.
William Richard O'Byrne,
William Wentworth Fitzwilliam Dick.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FOURTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 8 FEBRUARY, 1877, IN THE FORTIETH YEAR OF THE
REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, 8th February, 1877.

THE PARLIAMENT, which had been Prorogued successively from the 15th day of August, 1876, to the 31st day of October; thence to the 12th day of December; thence to the 8th day of February, 1877, met this day for the Despatch of Business.

The Session of PARLIAMENT was opened by THE QUEEN in Person.

THE QUEEN'S SPEECH.

Her Majesty, being seated on the Throne, adorned with Her Crown and Regal Ornaments, and attended by Her Officers of State, (the Lords being in their robes)—commanded the Yeoman Usher of the Black Rod, through the Deputy Lord Great Chamberlain, to let the Commons know "It is Her Majesty's Pleasure they attend Her immediately, in this House."

Who being come, with their Speaker;

THE LORD CHANCELLOR, in pursuance of Her Majesty's Commands, *delivered* Her Majesty's Speech, as follows:—

"*My Lords, and Gentlemen,*

"IT is with much satisfaction that I again resort to the advice and assistance of my Parliament.

"The hostilities which, before the close of last Session, had broken out between Turkey on the one hand and Servia and Montenegro on the other, engaged my most serious attention, and I anxiously waited for an opportunity when my good offices, together with those of my allies, might be usefully interposed.

"This opportunity presented itself by the solicitation of Servia for our mediation, the offer of which was ultimately entertained by the Porte.

"In the course of the negotiations I deemed it expedient to lay down and, in concert with the other Powers, to submit to the Porte certain bases upon which I held that not only peace might be brought about with the Principalities, but the permanent pacification of the disturbed provinces, including Bulgaria, and the amelioration of their condition, might be effected.

"Agreed to by the Powers, they required to be expanded and worked out by negotiation or by Conference, accompanied by an armistice. The Porte, though not accepting the bases and proposing other terms, was willing to submit them to the equitable consideration of the Powers.

"While proceeding to act in this mediation, I thought it right, after inquiry into the facts, to denounce to the Porte the excesses ascertained to have been committed in Bulgaria, and to express my reprobation of their perpetrators.

"An armistice having been arranged, a Conference met at Constantinople for the consideration of extended terms in accordance with the original bases, in which Conference I was represented by a Special Envoy, as well as by my Ambassador.

"In taking these steps, my object has throughout been to maintain the peace of Europe, and to bring about the better government of the disturbed provinces, without infringing upon the independence and integrity of the Ottoman Empire.

"The proposals recommended by myself and my allies have not, I regret to say, been accepted by the Porte; but the result of the Conference has been to show the existence of a general agreement among the European Powers, which cannot fail to have a material effect upon the condition and government of Turkey.

"In the meantime, the armistice between Turkey and the Principalities has been prolonged, and is still unexpired, and may, I trust, yet lead to the conclusion of an honourable peace.

"In these affairs I have acted in cordial co-operation with my allies, with whom, as with other foreign Powers, my relations continue to be of a friendly character.

"Papers on these subjects will be forthwith laid before you.

"My assumption of the Imperial title at Delhi was welcomed by the Chiefs and people of India with professions of affection and loyalty most grateful to my feelings.

"It is with deep regret that I have to announce a calamity in that part of my dominions which will demand the most earnest watchfulness on the part of my Government there. A famine not less serious than that of 1873 has overspread a large portion of the Presidencies of Madras and Bombay. I am confident that every resource will be employed not merely in arrest of this present famine, but in obtaining fresh experience for the prevention or mitigation of such visitations for the future.

"The prosperity and progress of my Colonial Empire remain unchecked, although the proceedings of the Government of the Transvaal Republic, and the hostilities in which it has engaged with the neighbouring tribes, have caused some apprehensions for the safety of my subjects in South Africa. I trust, however, that the measures which I have taken will suffice to prevent any serious evil.

"*Gentlemen of the House of Commons*,

"I have directed the Estimates of this year to be prepared and presented to you without delay.

"*My Lords, and Gentlemen*,

"Bills relating to the Universities of Oxford and Cambridge, and for amending the Law as to Bankruptcy and Letters Patent for Inventions, will be laid before you.

"Your attention will be again called to measures for promoting economy and efficiency in the management of the Prisons of the United Kingdom, which will, at the aame time, effect a relief of local burthens.

"Bills will also be laid before you for amending the Laws relating to the Valuation of Property in England, for simplifying and amending the Law relating to Factories and Workshops, and for improving the Law regulating the summary jurisdiction of Magistrates.

Legislation will be proposed with reference to Roads and Bridges in Scotland, and the Scotch Poor Law.

"You will be asked to constitute one Supreme Court of Judicature in Ireland and to confer an equitable jurisdiction on the County Courts in that country.

"I commend to you these and other measures which may be submitted for your consideration, and I trust that the blessing of the Almighty will attend your labours and direct your efforts."

And then Her Majesty retired.

And the Commons withdrew.

Roll of the Lords—Garter King of Arms attending, *delivered* at the Table (in the usual manner) a List of the Lords Temporal in the Fourth Session of the Twenty-first Parliament of the United Kingdom: The same was ordered to lie on the Table.

REPRESENTATIVE PEERS FOR SCOTLAND.

The Clerk of the Parliaments delivered a Certificate of the Clerk of the Crown that the Earl of Mar and Kellie and the Lord Balfour of Burley had been elected Representative Peers for Scotland in the room of the Marquess of Tweeddale and the Earl of Leven and Melville deceased.

NEW PEERS.

The Right Honourable Sir William Coutts Keppel (commonly called Viscount Bury), K.C.M.G., having been summoned by Writ to the House of Lords in his father's barony of Ashford of Ashford in the county of Kent—Was (in the usual manner) introduced.

John Thomas Lord Redesdale having been created Earl of Redesdale in the county of Northumberland—Was (in the usual manner) introduced.

Mortimer Sackville West, esquire, commonly called the Honourable Mortimer Sackville West, having been created Baron Sackville of Knole in the county of Kent—Was (in the usual manner) introduced.

Sir Richard Airey, G.C.B., General in Her Majesty's Army, late Adjutant General to Her Majesty's Forces, having been created Baron Airey of Killingworth in the county of Northumberland—Was (in the usual manner) introduced.

The Right Honourable Benjamin Disraeli (Lord Privy Seal) having been created Viscount Hughenden of Hughenden in the county of Buckingham and Earl of Beaconsfield in the said county —Was (in the usual manner) introduced.

SAT FIRST.

The Lord Ribblesdale, after the death of his Father.

The Lord Sandhurst, after the death of his Father.

The Lord Lyttelton, after the death of his Father.

The Earl of Suffolk and Berkshire, after the death of his Father.

SELECT VESTRIES.

Bill, *pro formâ*, read 1ª.

THE QUEEN'S SPEECH.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

The Queen's Speech *reported* by The Lord Chancellor.

Viscount GREY DE WILTON, in rising to move that an humble Address be presented to Her Majesty in reply to the Speech from the Throne, said: My Lords, I have not often spoken in this House, and it is no light thing for a man to stand up and inflict himself on such a distinguished audience as this for the first time in a tight coat (alluding to his uniform), and I therefore crave the kind indulgence you are in the habit of showing to persons in my situation. I propose to detain your Lordships for a very short time, as I have no doubt you are anxious to hear the words of a younger Peer than myself, who is sitting below me on the Treasury Bench, and who will probably address your Lordships this evening. The first 10 or 12 paragraphs in Her Majesty's Speech are devoted to the all-absorbing question of the day, and in the presence of the three principal British actors in that great drama, it would be most unwarrantable for me to occupy your time by even the faintest sketch of the history of the past two years. That history will be told—I have no doubt well—by those who are competent to give you information, and upon their narrative, taken in conjunction with the Papers which have been promised us, you will form your judgment, unprejudiced, I hope, by the speeches of those who, in various parts of the country, have thought fit to attack the Government, although unfurnished with that information without which no true or just judgment can be formed. As might have been expected, the more hot-headed of the British public have already ranged themselves on one side or the other. There has been a Turkish and a Russian faction. A great deal of zeal has been manifested, not always, however, with discretion, a certain amount of injustice has been done, and a great many extravagant proposals have been made. For instance, I believe that in some quarters the Russian Emperor has been rather hardly dealt with, and his pacific declarations have been somewhat rudely pooh-poohed. It may be said that he cannot always speak for his Army, which on some occasions has got out of his hands; but the pacific assurances which he made to Lord Augustus Loftus were of so solemn and earnest a character, that it would have been wiser and more courteous to have given him credit for the sincerity of his intentions and for his ability to execute them. On the other hand, I cannot admire what has been termed the "bag and baggage policy," advocated, if not originated, by a very distinguished person. That cannot be a practical policy unless we are prepared to carry it out by force, which we are not. Even if we were, the offenders must live somewhere, and I cannot see the justice of forcing them, with all their sins, on another part of the globe, where they would probably be equally objectionable. One result of the wide discrepancy of opinion has been that the Government have received a great deal of miscellaneous advice, much of which has been of a nature rather to hamper than to assist it. I was not present to to hear the will of the Nation proclaimed in St. James's Hall, because I was not furnished with the necessary ticket; but when I read the report next morning, and observed the nature of some of the advice, and, indeed, some of the orders showered on our Plenipotentiary, I could not help regretting that some, at least, of the orators had not remembered a useful precept which I have often read on board steamboats—"Do not speak to the man at the wheel." Some, however, do not take that view of the

Conference at St. James's Hall, and I have heard it said that the voice of the people, expressed in the utterances to which I have referred, has compelled Her Majesty's Government, very much against the grain, to make a considerable change in their policy in reference to affairs in the East. There are those sitting below me who at the proper time will give explanations on that point, and I shall be much surprised if it be not found that Her Majesty's Government have, in fact, not made any material change in their policy. I believe it will be found that they have adhered, and still adhere, to the spirit of the Treaty of 1856—that though that Treaty had been considerably mutilated in 1871, and is by some considered a dead-letter, it is still in force, and that Her Majesty's Government have based their policy, and continue to base their policy, on the two cardinal points of that Treaty—namely, the preservation of the peace of Europe, and, secondly, the integrity and independence of the Ottoman Empire. Her Majesty's Government believed—and, indeed, it was obvious—that the last point involved this further position—that the Christian subjects of the Porte should, as far as was practicable, be in full possession of their liberties. In pursuance of these objects a Conference was assembled. The Members of that Conference deemed it necessary that the Porte should submit to certain guarantees for the performance of the promises which they had made. The guarantees demanded, originally of a very stringent nature, gradually assumed a milder and milder character; but they were alike rejected by the Porte, which practically declared that it would be bound by nobody but itself. The Conference, therefore, may in that sense be said to have failed; but in certain other respects the Conference has not been a failure—it has borne some fruit. It has demonstrated the unanimous desire of the six great Powers to preserve the peace of Europe, and it has extracted from the Porte a measure of reform unparalleled in Mahommedan annals, in the shape of a Constitution, promulgated with great ceremony, solemnly sworn to by the Sultan and his Ministers, and one which cannot but effect much good if it were only faithfully carried into effect. But will it be faithfully carried out? Well, I hope, at any rate, that we shall have patience, and allow the Turkish Government time and opportunity for working out these reforms. According to the intelligence that has reached us the successor of Midhat Pasha is bound to follow out the principles laid down by his predecessor in respect of the new Constitution. However that may be, I think that on a calm consideration of the whole of the subject, in all its bearings, your Lordships can hardly come to any other conclusion than that the conduct of Her Majesty's Ministers has been wise, dignified, and consistent. It may be that this question will eventuate in a European war, in which, sooner or later, the interests of this country will be directly or indirectly involved. In that event a heavy weight of responsibility will rest upon those who have the conduct of foreign affairs; and I am happy to think that the honour and interests of the country are safe in the keeping of my noble Relative below me. Nor can I doubt that my noble Friend will receive the approbation and support of the great majority of his fellow-countrymen. My Lords, I am happy to find that the assumption of the Imperial Title by Her Majesty at Delhi has been welcomed by the Chiefs and people of India with expressions of loyalty and affection. On the other hand, your Lordships will be grieved to hear that a part of Her Majesty's dominions in India have been visited by a famine, which has overspread a large part of the Presidencies of Madras and Bombay. The sufferings of the people of these districts have been, and must I fear continue to be, great; but we have already gained experience from former calamities of the same nature, and the despatch forwarded a few weeks since by the noble Earl (the Earl of Carnarvon), who has been acting in the absence of the noble Marquess the Secretary of State for India, will show that the authorities in that country are alive to the exigencies of the case, and are fully prepared to take the best possible means for preserving the lives of a population who are only too apt, in times of calamity, to resign themselves to their fate. My Lords, I am happy to find by the next paragraph of the Royal Speech that under the wise administration of the noble Earl the Secretary of State for the Colonies the prosperity and progress of our Colonial Empire continues unchecked, and we may fairly hope that the apprehensions that have arisen from the proceedings of the Transvaal Republic will, under the provident management of Her Majesty's Government, pass away without injurious consequences to our own fellow-subjects of the Cape Colony. My Lords, I do not propose to allude at any length to the various Bills announced in the concluding paragraphs of the Royal Speech. The Bill relating to the Universities of Oxford and Cambridge will, I suppose, be of a similar nature to the one affecting the University of Oxford introduced last Session. I can only hope that this measure will be more successful than the Bill of last year in "another place," and that the noble Marquess who has charge of it (the Marquess of Salisbury) will have the satisfaction of hearing it receive the Royal Assent. As to the measures relating to Bankruptcy, and Letters Patent for Inventions, I dismiss them, as too technical for me, with a hope that they may be found capable of dispelling those mists of inconvenience, which serve usually to obscure these objects. The Prisons Bill, I hope, will be successfully carried through Parliament; for, though some of the magistrates are naturally loth to part with their local control over prisons, there is a general feeling that some legislation is necessary, and that a better organization and a more efficient management will be effected under the Bill. A similar hope may be entertained with reference to the Valuation of Property Bill; because it is the principal stepping-stone towards settling the important question of local taxation. The Bills relating to Factories and Workshops are interesting and important, both to the working and to the manufacturing classes, and they may, I think, be safely left in the experienced hands of the Home Secretary. The Irish Judicature Bill will be complementary of the Judicature Act passed for this country, and will have the effect of constituting one uniform system of judicature for the two countries. The Scotch Bills I may safely leave to my noble Friend who is to second my Motion, and I am sure that the noble Earl will do them justice. The programme put forth by the Government is not heroic in dimensions or constitution; it embodies an honest attempt to deal with the most pressing wants of the day. I venture to think that it is a manageable programme; and we may fairly hope that most of the measures will, with due co-operation from both sides, escape the annual July Massacre. But that co-operation is a very important factor; and I am sure it will not be necessary to appeal to the fairness of noble Lords opposite. They will doubtless watch the action of the Government with vigilance; they will probable criticize them with severity; but they will assuredly give their generous assistance to the passing of good and useful measures, knowing, as they well know, that they are measures devised by men who are only vieing with them as to who shall most contribute to the honour, interest, and welfare of the country.

My Lords, I will conclude by moving that an humble Address be presented to Her Majesty, thanking Her Majesty for Her Majesty's most Gracious Speech from the Throne, as follows:—

Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the most gracious Speech which Your Majesty has addressed to both Houses of Parliament.

"We humbly thank Your Majesty for informing us that the hostilities which, before the close of last Session, had broken out between Turkey on the one hand and Servia and Montenegro on the other, have engaged Your Majesty's most serious attention, and that Your Majesty anxiously waited for an opportunity when Your Majesty's good offices, together with those of Your allies, might be usefully interposed.

"We humbly thank Your Majesty for informing us that this opportunity presented itself by the solicitation of Servia for mediation, the offer of which was ultimately entertained by the Porte.

"We humbly thank Your Majesty for informing us that in the course of the negotiations Your Majesty deemed it expedient to lay down and, in concert with the other Powers, to submit to the Porte certain bases upon which Your Majesty held that not only peace might be brought about with the Principalities, but that the permanent pacification of the disturbed provinces, including Bulgaria, and the amelioration of their condition, might be effected.

"We humbly thank Your Majesty for informing us that these bases, agreed to by the Powers, required to be expanded and worked out by negotiation or by Conference, accompanied by an armistice; and that the Porte, though not accepting the bases and proposing other terms, was willing to submit them to the equitable consideration of the Powers.

"We humbly thank Your Majesty for informing us that while proceeding to act in this mediation, Your Majesty thought it right, after inquiry into the facts, to denounce to the Porte the excesses ascertained to have been committed in Bulgaria, and to express Your Majesty's reprobation of the perpetrators.

"We humbly thank Your Majesty for informing us that an armistice having been arranged, a Conference met at Constantinople for the consideration of extended terms in accordance with the original bases, in which Conference Your Majesty was represented by a Special Envoy, as well as by Your Majesty's Ambassador.

"We humbly thank Your Majesty for informing us that in taking these steps it has been Your Majesty's object throughout to maintain the peace of Europe, and to bring about the better government of the disturbed provinces, without infringing on the independence and integrity of the Ottoman Empire.

"We share Your Majesty's regret that the proposals recommended by Your Majesty, and by Your Majesty's allies, have not been accepted by the Porte; but we trust that the general agreement among the European Powers, as shown by the Conference, will not fail to have a material effect upon the condition and government of Turkey.

"We humbly thank Your Majesty for informing us that the armistice between Turkey and the Principalities has been prolonged, and we join with Your Majesty in hoping that it will yet lead to the conclusion of an honourable peace.

"We humbly thank Your Majesty for informing us that Your Majesty has acted in cordial co-operation with your allies, with whom, as with other foreign Powers, Your Majesty's relations continue to be of a friendly character.

"We rejoice that Your Majesty's assumption of the Imperial title at Delhi has been welcomed by the Chiefs and people of India with professions of affection and loyalty.

"We share Your Majesty's deep regret that a serious famine has overspread a large portion of the Presidencies of Madras and Bombay, but we are confident that every resource will be employed to meet the calamity.

"We humbly thank Your Majesty for informing us that the prosperity and progress of Your Majesty's Colonial Empire remain unchecked, and that measures have been taken with a view to the safety of Your Majesty's subjects in South Africa.

"We humbly assure Your Majesty that our careful consideration shall be given to the measures which may be submitted to us, and that we earnestly trust that the blessing of the Almighty will attend our labours and direct our efforts."

THE EARL OF HADDINGTON said, that in seconding his noble Friend's Motion he also must claim that indulgence which was invariably extended to those who for the first time addressed their Lordships' House. He was sure it was a subject of heartfelt pleasure, not to their Lordships only, but to the nation at large, that Her Majesty had once again been able to realize her intention of opening Her Parliament in person. Since Her Majesty performed that function last year, a new dignity had been added to the Crown; and though in the eyes of Englishmen no additional luster could be shed upon the Crown thereby, yet in India the new title of Empress of India had been hailed with much satisfaction, and had called forth the expressions of pleasure from Her Majesty's feudatories of their just appreciation of Her illustrious protectorate. Before adverting to the various topics mentioned in Her Majesty's Speech, he could not but congratulate their Lordships on the first appearance among them there as a Peer of the noble Earl at the head of Her Majesty's Government. He would not attempt to pay compliments to the noble Earl; but he congratulated the House of Lords on the accession to its ranks of one who in the other House of Parliament had never taken part in a debate without elevating its tone. Referring now to the various topics mentioned in the Speech from the Throne, they all remembered with what gloomy forebodings the last Session was closed—hostilities were then being waged in Eastern Europe between Turkey and Servia, and the last gleam of hope that European peace might be maintained seemed to have gone—when they heard with rejoicing that owing to the judicious attitude of Her Majesty's Government

Turkey and Russia had been brought face to face, and had been induced to pause and to weigh the issues of a threatened conflict in Europe, and by these means, for the present at least, the dangers of a general war had been averted. And if the efforts of those assembled in Conference at Constantinople had, to a certain extent, failed to adjust the difficulty in the way that was desired, yet they had at least brought about an indefinite adjournment of the threatened occupation of the Christian Provinces, had brought the Porte face to face with her responsibilities; and the fresh life and vigour introduced into existing Treaties were some proofs that the policy of Her Majesty's Government, in unison with her allies, had to a great extent been successful. He would not enter into details, but he might repeat what his noble Friend the Mover of the Address had said—that the basis on which the policy of the English Cabinet had been formed had been adherence to existing Treaties, to ameliorate the condition of the Christian subjects of Turkey without hazarding the peace of Europe or infringing the integrity of the Ottoman Empire. Within the last few days an unforeseen event had occurred, the exact result of which it was at present difficult to foresee; but they might hope that the fall of the Minister who inaugurated the policy of reform would not involve the destruction of his schemes, and that his successor would prove to be a statesman who was able and willing to carry out the much-needed changes proposed by Midhat Pasha. With regard to the reference which the Speech from the Throne contained to our Colonial dominions, it was satisfactory to find that peace had not been seriously threatened, while what had occurred afforded an additional reason for the extension of the principle of federation which had been successfully carried in some of the Colonies. He looked with satisfaction on the proposed legislation in respect to roads and bridges in Scotland and the Scotch Poor Law, which he hoped would result in economy and efficiency. The noble Earl concluded by seconding the Address. [See page 12.]

EARL GRANVILLE: My Lords, I rise to address a few observations to your Lordships—more in deference to long-established custom than from any belief that any discussion can be advantageously raised on our side of the House without further information. My Lords, the noble Earl who seconded the Motion for the Address (the Earl of Haddington) only gave utterance to a feeling entertained by the entire House when he said your Lordships must all rejoice that the present Session of Parliament has been opened by Her Majesty in person; and I am glad that the Speech from the Throne is framed so as to make it not only easy for, but incumbent on us to adopt the Address moved in reply. My Lords, the attention of Parliament, in common with that of the whole country, seems to be concentrated at this moment on one question of foreign policy, of the importance of which we have evidence in the fact of so many paragraphs on the subject being inserted in the Queen's Speech. No doubt we shall hear a good deal of that question this evening; but it would be quite idle for us on this side of the House to attempt to debate it in the absence of full information on the question. I am glad that, contrary to the precedent of last Session, the Papers are to be laid on the Table forthwith. I am not equally glad to have seen it officially announced in *The Morning Post* and *Daily Telegraph* that the whole documents extend to not fewer than 1,200 folios.

And now, before proceeding to notice some of the topics referred to in the Queen's Speech, may I say one word expressive of my pleasure in hearing the agreeable manner—the facility of speech tempered with that genial tone which is peculiarly agreeable to your Lordships—in which an old friend of mine, and the son of a still older friend, moved the Address in Answer to that Speech. The noble Earl who followed my noble Friend, alluded in graceful terms to the circumstance of the Prime Minister being now a Member of your Lordships' House. I am not sure that it is particularly my part to express unmixed feelings of satisfaction at such an accession to the benches opposite, or that one so great a master of debate should be added to our opponents already on those benches; but without any undue compliment to the noble Earl, I may say that a seat in your Lordships' House is not an unworthy reward for a statesman who has spent a long public and Parliamentary life. And while on personal subjects I may observe, my Lords, that I should not be doing justice to my own feelings, nor to those of noble Lords on this side of the House who are accustomed to act with me, if I did not state that the admirable temper and tact of the noble Duke the Lord President of the Council (the Duke of Richmond and Gordon), who naturally waives the place of the Leader of this House to the noble Earl the Prime Minister, have contributed very largely to the satisfactory character of the debates in your Lordships' House.

I will not trouble your Lordships with any remarks on the Bills which Her Majesty's Government announced their intention of introducing. Some of them are old friends, but old or new, I will not now enter into the merits of them; but there are one or two omissions to which I think I may be pardoned for calling attention. The subject of Burials is one which has excited much attention and feeling in the country. Last year the noble Duke gave what, I think, was gratefully accepted by the right rev. Bench as a pledge that the Government would themselves take charge of a Bill relating to Burials. I regret to observe that in the Speech from the Throne there is no allusion to any such Bill, except it is contained in the words "other measures." I think that there should have been more explicit reference to a measure of such importance if it be the intention of the Government to introduce a Bill. My Lords, there is one phrase in this Speech which we have sometimes heard before now. I allude to the words "economy and efficiency," which on this occasion are used in reference to the management of the Prisons of the country. In former times it had a wrong significance. I must say in reference to "economy," that, though in times of great prosperity the word became somewhat unpopular, there are symptoms that among all classes—the agricultural as well as the commercial classes—it is likely to recover something of its former popularity. With regard to "efficiency," it puts me in mind of another omission. Last year I called attention to a scheme for the improvement of Dover Harbour, and I showed that it was a question, not merely of local convenience, or one of convenience to commerce or Continental traffic, but one which, having been examined and reported upon by all the military and naval authorities of the country, had been declared for years to be absolutely urgent and necessary to the proper position of the naval and military defences of this country; so much so that Her Majesty's late Government agreed upon a self-supporting scheme, which the present Government naturally considered. It was referred to a Committee; that Committee recommended that the scheme should be proceeded with, and threw out the suggestion that it might be well to consider whether, for a very small cost, even greater facilities might be given. Her Majesty's present Government thereupon took 18 months to look into that suggestion; and at the end of last year I asked my noble Friend the question whether the Government had abandoned the scheme altogether; and he, without an absolute pledge, gave me an encouraging answer. When we got the answer, exactly 10 days before our notice could be given, it was a distinct intimation that the Government did not mean to go on with the scheme, and that if we could get the sanction of the War Office, and of the Admiralty, we were at liberty to take any steps we liked. At another time I might show that that delay is one which will be very injurious to the scheme. I might mention another small incident illustrating the mode of doing business on the part of the Government. In the beginning of November we, the Harbour Board, proposed to take over the Admiralty Pier. We were hurt at getting no answer for two months, but on the first day of this year a storm arose, the ocean was roused, a great portion of the pier to which I refer was thrown into the sea, and I can assure your Lordships that all our sensitiveness has disappeared under the consolation that some £30,000 or £40,000 will remain upon the public taxpayer instead of on the locality. With reference to another paragraph of the Queen's Speech, it is satisfactory to learn that the prosperity and progress of the Colonies remain unchecked; and with respect to the Papers bearing on the proceedings of the Transvaal Republic, I venture to express a hope that when the information on that subject is printed we shall not have to wait twelve months, as in the former instance, before the information is distributed. A very serious matter for consideration is to be found in the state of South Africa—it is unquestionably a very grave question. An article has recently been given to the public, in which my noble Friend the Secretary for the Colonies is extolled to the skies, and in which the late Secretary for the Colonies and myself were, I am afraid, sent to a very different place. It is not for me to dissent from an estimate of the personal worth of any individuals; but I do hope and expect that the policy of the Secretary for the Colonies will not be governed by the policy laid down in that article, and that the adoption of more judicious views will lead the efforts of my noble Friend to a successful termination. I am glad to see that my noble Friend does not dissent. At the same time, I am happy to congratulate my noble Friend on the appointment of Sir Bartle Frere to the post to which he has been appointed in South Africa, and I hope that all apprehension in respect of our colonial possessions there will soon be at an end. There are two paragraphs in the Speech from the Throne which refer to India, and which remind us sadly of the inevitable manner in which in this life the brilliant and mournful sides of affairs are commingled. With regard to the assumption of the Imperial title at Delhi, there have been criticisms, and there may be more; but the advisability of giving emphasis to that assumption appeared intended to meet the views of those who have held that it would be of the greatest use in India, and to allay the feeling of the minority in this country who feared some tampering with the title in this country to which we are all so much attached; and, without reference to particulars, I am disposed to think that, on the whole, some display was wise. Now, as to the Eastern Question—I shall only speak as to what is, more or less, within the knowledge of all of us. It does appear to me, notwithstanding what has been said by my noble Friend on the other side who moved the Address, that there have been two phases in the policy of Her Majesty's Government on this question. I quite agree with my noble Friend that the policy of Her Majesty's Government was the maintenance of the Treaty of 1856, and non-intervention on our part, and on the part of the other Powers, in the internal affairs of Turkey. Those may have been desirable objects; but they have been strained to the utmost. I venture to assert, as I asserted last year, that the rights conferred on Turkey by the Treaty of Paris were not unaccompanied by the moral claims and rights which that Treaty gave to all Europe in reference to the Christian subjects of the Porte. And perhaps I may here be allowed to say a word about the Treaty of Paris. My Lords, I am not one of those who think that the Treaty of Paris is gone. I am not one of those who think that the Treaty of Paris ought to go. On the contrary, I think that Treaty is one of very considerable importance, and of great use to all the Powers who participated in its provisions. I think it secured great political advantages. It is of great importance in respect of the freedom of the Danube, and it lays down rules which are valuable in respect to the relations of the Six Powers in checking selfish or interested views on the part of any particular Power. But, on the other hand, I entirely deny that the Turks are in the position with respect to that Treaty which they occupied when it was first made. I was a Member of the Government who were a party to the making of that Treaty; and I am not sure, now when we can look back with the eye of experience, that it would not have been better, following the line suggested in a memorandum to be found in the *Life of the Prince Consort*, that it would not have been better to have refused to make that Treaty except on the condition of receiving security at the hands of Turkey for the good government of the Christian Provinces. But, I believe through a chivalrous feeling towards those by whose side we had fought, we consented to be satisfied with a declaration on the part of the Porte. It must, however, be always borne in mind that the declaration in question is solemnly embodied in the Treaty itself, and I hold that the fact of the declaration having been so embodied, the Treaty gives to the Powers a right, and throws upon them the obligation, to step in and see that the declaration is not thrown aside. Some accusations on this subject have been made against the Liberal Party. It has been said, and perhaps it may be said again, "Why did not you, the Liberal Party, during the 20 years, or the greater part of that time, you were in power, act on your right and obligation in respect of that declaration? You did not do so." And, especially, "Why in 1871 did you confirm this Treaty?" All I can say, in answer to the first charge, is that the Liberal Party did act in precisely the way that has been suggested in the question. In 1858, Lord Stratford de Redcliffe gave to the Porte the strongest possible intimation that it must not rely on the support of England if it did not carry out the promises contained in the declaration. Then, in 1860, when outrages of a very horrible character were enacted in Lebanon, in a short time after their occurrence, Lord John Russell agreed with the French Government that the district should be occupied by French troops. Lord John Russell, you will remember, sent out a Commission, at the head of which was my noble Friend Lord Dufferin, and that Commission gave to the population there what I belive to be one of the best models for the government of the Christians of Turkey, which has worked most successfully up to the present time. As giving you some idea of the state of matters in the Lebanon at that time, I may mention that 5,500 persons were murdered, and that there were some 20,000 women and children wandering about in a state of starvation. Your Lordships will remember that the outrages of Damascus were not suffered to pass unnoticed by the Government of this country. The Secretary for Foreign Affairs sent out a despatch, and punishment was inflicted on the offenders—the Governor of Damascus himself suffering the extreme penalty of the law. In 1871 the Turkish Ambassador came to me, and I told him that his Government must not think that Turkey could rely on this country in all possible contingencies. I made that communication also to Sir Henry Elliot; and I told him that in my opinion it was not fair that Turkey should labour under such a delusion as to suppose, that whatever she did, she could rely on the support of Europe, and of this country, and that she must look as one of her main safeguards to the good government of her Christian subjects—that she should make them feel that their lot was better under Turkish rule than under any other Government likely to be found. Last year I was at some pains to explain the alterations which were made in the Treaty of Paris in 1871; and I said I considered that an improvement had been made. The noble Viscount opposite (Viscount Grey de Wilton) seemed to think we desired to mutilate it; but I remember the Turkish Ambassador immediately the Conference was over saying to me that Russia, while thinking she had gained an advantage for herself, had given to the Turks exactly the one thing they desired. The alteration made in 1871 was at a time when France and Germany were engaged in war, and when there was very great public excitement, and when it would have been madness, even if it had been necessary, which I do not admit, to open up all the questions connected with the Treaty. To return to the policy of Her Majesty's Government last year, I feel certain that extreme desire for the maintenance of the *status quo* was one that influenced to an extraordinary extent all the thoughts, words, and actions of Her Majesty's Government. It was this that made the Secretary of State for Foreign Affairs so sanguine that in the early part of 1875 he told us publicly that we should never hear any more of the insurrection in Herzegovina. It was this feeling that made them agree to the Andrassy Note, and which afterwards led not only to the rejection of the Berlin Memorandum, but to the mode in which it was rejected. At this time last year I ventured to say that if Her Majesty's Government were right in rejecting that proposal in the then actual state of affairs, I could not conceive that they were not wrong in not meeting that proposal with a counter proposal of their own, instead of meeting that objection, as they did, with a *non possumus.* The course taken by the Government upon the Berlin Memorandum had a great effect upon the public mind. Well, in the Autumn, the Prime Minister, then a Peer, speaking at a non-political dinner at Aylesbury, on the very eve of the election of the Member who succeeded him in the representation for the county in Parliament, made, nevertheless, a political speech. In that speech he recapitulated the charge against the Government, and denied that there was the slightest foundation for it; he said that, on the contrary, the Secretary of State for Foreign Affairs had at once laid down the true principles of the Eastern Question, and that the Government were in daily, and even in hourly, communication with the other Governments on the subject. A noble Duke (the Duke of Argyll) has already called attention to this subject, and, so far as I can tell, there is not the slightest trace in the Papers that have been published of any such laying down of any principle in the noble Earl's communication; but the contrary. The Memorandum was written on the 19th of May; and on the 2nd of June the Secretary of State for Foreign Affairs wrote to Vienna to express his regrets that he was unable to do more than express his regret at not being able to act with the other Powers who had concurred in the Berlin Memorandum. Certainly that was not the the laying down of any principle. On the 12th of June the noble Earl told Count Schouvaloff that in his view nothing remained except to allow the renewal of hostilities until success should have declared itself on one side or the other. On the 22nd of June the noble Earl told Count Beust that there was nothing to be done. On the 31st of July the noble Earl told your Lordships that the soreness of the Powers made it a bad moment to propose anything, even if they had any proposal to make. And yet the noble Earl at the head of the Government, in his speech on the 9th of November, said—

> "We did propose some propositions on our own part. My noble Friend lost no time in laying down the principles upon which he thought the tranquillity of the East of Europe might be secured. That is to say, he laid down the principles upon which he thought that the relations between the Porte and its Christian subjects ought to be established. These communications were occurring constantly, I may say, between Her Majesty's Government and the five other Powers. If you wish me to sum up in two sentences the result of what was, of course, daily and hourly communication between the Powers or their Representatives in England, I must tell you this—that I think that in the late Spring of this year peace, and peace on principles which would have been approved by every wise and good man, might have been accomplished. What happened? That happened which was not expected—Servia declared war on Turkey."

Unless I am perfectly wrong in these facts, it follows that the memory of the noble Earl at the head of the Government, when he made his speech at Aylesbury, was confused as to dates, and that he attributed to one period events that had really happened at another. And it should be a lesson to us all that persons even of great authority do not always pay attention to dates, and that it is not beneath them to be accurate even in details. It cannot be denied that about this time some change came over the spirit of Her Majesty's Government in regard to their policy in the East. The noble Viscount (Viscount Grey de Wilton) denies that there has been any change, and I saw by the papers that a Member of Her Majesty's Government denied that there had been any change in their policy on the Eastern Question. Another important Member of Her Majesty's Government, who is now the Leader of the House of Commons (Sir Stafford Northcote) has stated it to be not so much that there had been a change in the policy of the Government as that there had been a change of circumstances, and that if they had made a change it was no more than a man did who put on a great coat in winter and took it off in summer. The metaphor, however, cannot be made to stand on four legs. The case is rather that of a man who omitted to wear his great coat in winter, and who, finding himself exceedingly chilled, put it on in the dog-days. Of course he would find that he had put it on too late, and that he was almost as much hampered with it as he had been before inconvenienced by the want of it. If the noble Viscount thinks that Her Majesty's Government have not been influenced by public opinion in their foreign policy he is much in error. There was last autumn a great explosion of public opinion which I ventured to say in a letter published at the time, would be found irresistible. What was it that excited it? I pass by the motives attributed to certain persons who engaged in the agitation that arose, and will only assert that the circumstances that called forth that excitement were quite sufficient to explain the hold which the subject exercised upon the public mind. I will ask whether such horrors as those which were perpetrated in Bulgaria ought not to excite some feeling among the people of this country? I do not wish to use my own words in describing these horrors—still less will I use the burning words of the noble Duke behind me (the Duke of Argyll) lest your Lordship should think me inclined to be sensational. I will take the description given at a somewhat late period by two of Her Majesty's Ministers

—one of them in his official capacity. I will read a few out of several sentences which I might quote from Lord Derby's despatch of the 21st of September—

> "Crimes, which Mr. Baring justly describes as the most heinous that have stained the history of the present century. Little or nothing has been done in the way of reparation. The Porte has been led to promote and decorate officials whose acts have been at once a disgrace and an injury to the Turkish Empire. Acts of violence will continue, and the Porte is powerless or supine."

And so on. I entirely agree in the description of the horrors there given. The only point on which I disagree with them is that both Ministers attribute these horrors to the weakness and inactivity of the Porte. I have little doubt that they were the consequence of orders from home, and I should be glad to know what is the opinion of the noble Marquess (the Marquess of Salisbury) on this point. These horrors were quite sufficient to excite the feelings of statesmen of all classes in this country. I need not refer to the statements that have been sometimes made that the occurrences to which I refer were accidental, for these statements have already been disposed of. But what did we find very soon after the events of which I speak were known at Constantinople? We find that the perpetrators of atrocities had been promoted and decorated; I must say that the declarations and the promotions and the decorations given to those who were regarded as responsible for these horrors, looked very much as if they had the sanction of the Turkish Government. It did not require the audacious statement of one of the Pashas to justify us in saying that the Turkish Government made itself the accomplice of more than half the acts committed in these provinces. Well, what did our Government do after that time? I have before me a Note which was addressed to the Porte, and it contains not the slightest statement of the grounds upon which this Government had a right to dictate to an independent nation; but it went on, in the words of the paragraph in the Speech from the Throne, "to denounce to the Porte the excesses ascertained to have been committed in Bulgaria, and to express My reprobation of their perpetrators." The whole Note was couched in more imperious terms than I think ever had been used before in any Note from one Government to another independent country; and it ended with a positive demand for reparation and for the punishment of offenders who were mentioned by name. I should like to ask the noble Earl the Foreign Secretary—what has been the result of the Note, if there has been any? What amount of reparation has been granted? Who are the officials who have been severely punished? Have the Government or have they not any information as to what has been stated in the newspapers that cruelties of a horrible description are still being perpetrated by the Turks upon the Christians? My Lords, I do say that Her Majesty's Government had changed their policy when they began writing such Notes to a friendly and independent Government. I have no doubt that some proposals were afterwards made which very much resembled the proposals that were made by the Russian Ambassador before Servia declared war; and as to which I stated last year, I could not conceive why they were refused by Her Majesty's Government. All these different acts do show a very great change of policy on the part of Her Majesty's Government; and I desire in the most absolute manner to state that I think such a change requires no defence. It was most wise and most statesmanlike on the part of Her Majesty's Government to make such a change, and to concede something to what after all formed the great mass of public opinion in dealing with such a subject. It is curious how history repeats itself. In 1791 Mr. Pitt, out of dread of Russia, and in consequence of the want of success in reconciling Russia and the Porte, proposed to Parliament to increase the fleet, which in the language of the day, was called the Russian Armament. It appeared that he did so in opposition to the views of some of his Colleagues. In the Lords an Amendment was immediately moved by Lord Fitzwilliam, and supported by Lords Loughborough and Porchester (the Whig ancestor of the noble Earl opposite), by Lords Carlisle, Stormont, and Lansdowne. In the Commons, Mr. Coke, of Norfolk, moved an Amendment, and the proposal of the Government was opposed by all the great Whigs of that day—Fox, Grey, Wyndham, and Burke. Mr. Fox made a most eloquent speech — we should think it rather a violent speech in these days. He used the strongest language against the

Prime Minister. He said the Prime Minister had enveloped himself in mystery and importance and had explained nothing; that his speech was like the speech in the play—finely confused and very alarming. Mr. Fox denounced the Turk. He said that all that was holy in religion, and all that was moral and humane, demanded an abhorrence of everything which would strengthen the power of that cruel and wasteful Empire. Mr. Pitt, notwithstanding his large majorities in both Houses, yielded and withdrew his proposal, and grounded his explanation on the fact that in this country it was necessary to act in concurrence with the general opinion of the people. Lord Stanhope, in briefly narrating the story, states that this concession to popular feeling averted a Parliamentary danger. "But," he adds, "the whole transaction tended to dim his Parliamentary fame. Here was manifestly a miscalculation, and a failure in his foreign policy." I need hardly say, my Lords, that I do not look forward to any such fate as respects the policy of those who hold power at the present period. I ought to add one thing which happened in the autumn—namely, that the usual rumours prevailed that there were dissensions in the Cabinet. I am too old a bird to be caught by the chaff of outsiders on the subject of "dissensions in the Cabinet." I have known them so frequently wrong, and in this case their non-existence is placed absolutely beyond doubt by the assertions of the President of the Council and Sir Stafford Northcote. I must say, however, that this time the outsiders have a little more to say for themselves than they usually have. In the first place, the noble Lord the Secretary for Foreign Affairs had some years ago not only formed, but published his opinion as to the utter decrepitude of the Turks and the wisdom and policy of conciliating the Christian subjects of the Porte. Another very eminent Member of the Cabinet had some years ago been rather harshly reproved by the noble Earl opposite, then Chancellor of the Exchequer, for his very indistinct notions with respect to the relations existing between the Turks and Christians. At the same time there have been the greatest differences in the expressions used in public by Members of the Cabinet; and we all remarked the differences in tone between the speeches of the Foreign Secretary and those of the Prime Minister, which became still more remarkable after their change of policy. The noble Earl the Secretary for the Colonies was thanked by the pro-Christians in this country for the sympathy he had shown with the calamities of the Bulgarian population—he had not a single word to say on behalf of the Turks. The Home Secretary used very strong language in the same sense, and Sir Stafford Northcote not only denounced the atrocities, but gave us the best possible advice—which I was glad to hear repeated by the noble Lord the Mover of the Address—that it was wrong to be too distrustful of Russia, and that we ought to behave in a friendly way towards her. Now, what has been the line taken by the Prime Minister? When the Marquess of Hartington came back from Constantinople in October he had to speak in public almost immediately. No one sees things more clearly than the noble Marquess does; and in that public speech he said—

> "My chief experience at Constantinople was this—that the difficulty of moving the Turks is their conviction that whether they did these things or not England would support them in the end."

What did the noble Earl the Prime Minister say? Speaking at Guildhall, he ridiculed the political steps taken by Russia, and taunted her with her inability to carry on a lengthened campaign. He did more than that; he entirely omitted to mention that declaration made, on his solemn honour, by the Emperor of Russia to our Representative. I say that that declaration of the Emperor, whether the noble Earl attached any importance to it or not, was a matter of fact which ought not to have been concealed. The only explanation I can give of these differences of language is one suggested by a friend of mine, who has not been in a Cabinet. He said he had often understood that Cabinets agreed to differ in private and agree in public, but in this case Her Majesty's Government seemed to have agreed to agree in private and to differ in public. They may act on the principle of a French nobleman who, being asked once a year by his Monarch how many children he had, invariably answered, "Two," until on one occasion he said, "Six;" and on the Monarch expressing some surprise said—"I am afraid of boring your Majesty by always saying the same thing." Perhaps some such reason as this may be the explanation of the differing opinions expressed by the Members of Her Majesty's Government on this subject. Passing from this to the Conference, I have next to remark that we labour under some difficulty in dealing with that subject, owing to the absence of the information which we hope to have soon. We do not know what were the Instructions given to the noble Marquess on going out, and what were the Instructions sent to him while at Constantinople; we are not aware, from official sources, what communications passed between the different Powers; and we are imperfectly informed of what passed at the Conference itself. All this will require to be known before I will venture to give any opinion with reference to the Conference, or to the manner in which the negotiations were carried out. I trust that on reading the Papers we shall not be tempted to repeat the language of a Leader of the Opposition in the House of Commons in July, 1864, in reference to another Conference. He said—

> "One word with respect to the Conference. I never was of opinion that the Conference would arrive at any advantageous result. I could not persuade myself, after reading the Papers, that, whatever might be the cause, any one seriously wished for a settlement. The Conference lasted six weeks. It wasted six weeks —and, like a carnival, it lasted as long as a carnival—it was an affair of masks and mystification. Our Ministers went to it as men in distressed circumstances go to a place of amusement—to wile away the time with a consciousness of impending failure."—[3 *Hansard*, clxxvi. 743.]

Some one of your Lordships will probably have some recollection of having used this language. I am quite sure, whatever effect the Papers may produce as to the seriousness and earnestness of other persons, we shall find that the noble Marquess was sincere and earnest in his work at that Conference, to which he went with the approbation of the whole country and of all classes of political opinion, even including those to whom exclusively Party motives have been attributed. There is one more point on which the people of this country are still more desirous to learn something. They wish to know what is to be the result of the Conference? My noble Friend, in moving the Address, stated that the Conference was not a failure, inasmuch as it had introduced a much better understanding between the European Powers, and I am very glad to find that this opinion is confirmed by Her Majesty's Speech. I have no desire to question that opinion. I think in all probability it is true, and I rejoice in the thought that the good understanding between the European Powers has been promoted and the proper influence—I do not mean the overweening influence of this country—has been renewed after being disturbed by what occurred immediately after the Berlin Memorandum. The paragraph in Her Majesty's Speech in relation to this point states that—

> "The proposals recommended by myself and my Allies have not, I regret to say, been accepted by the Porte; but the result of the Conference has been to show the existence of a general agreement among the European Powers, which cannot fail to have a material effect upon the condition and Government of Turkey."

Now, my Lords, that can be interpreted in two different ways. It is as much as to say —and I thought the noble Viscount indicated that to be his view — that we mean to make use of our influence with the other Courts of Europe, while maintaining our protest against the conduct of Turkey, to watch whether she carries into effect her promises towards her Christian subjects; and that, although we have taken the very strong step of recalling not only our extraordinary Ambassador, but also our ordinary Ambassador, we are not to proceed any further—that we are to look upon the Constitution which has been promulgated as a real and practical measure for the amelioration of Turkey, and not one which was properly treated by the Conference as something very like a sham, invented for a special purpose. If that is the line we are to take ourselves and try to induce the rest of Europe to adopt it, what will be the result? One of two things will happen — Either Russia, from policy or caution, moderation or weakness, may abstain and do nothing — in that case does anyone seriously believe that, Europe remaining with her arms folded, the Christian population will be a jot better—on the contrary, will they not be in a much worse condition than that which they now hold? On the other hand, strengthened by the position which we have undoubtedly given to Russia by our past conduct, that nation might be induced to act on the declaration made by the Emperor at Moscow. I for one would deeply deplore it—such a thing would be pregnant with inconvenience and danger. The remedy suggested that we alone should join with Russia in the work, though perhaps it might a little mitigate, would certainly go a very short way to diminish those dangers and inconveniences. But if we take another course, it would be this—I would take the principles laid down by not unimportant Members of the present Cabinet—the Chancellor of the Exchequer and the Home Secretary. The latter said—

> "The time has now come when this country should refuse to be put off with paper currency. —They should demand to be paid in solid coin."

And Sir Stafford Northcote said—

> "I believe it to be impossible really to secure the peace of Europe unless we took steps to improve the administration of the provinces of Turkey. As long as you leave that door open—as long as you do nothing to remove the causes of these disturbances—any peace you may secure for the moment will be a hollow peace—no better than putting a piece of sticking-plaster upon a wound when there was festering matter beneath."

I believe these are wise words. I am glad, my Lords, to think that the influence of the Government has been promoted by the Conference; and I believe that if that influence was exercised in persuading Europe as one body to come forward and insist — as they have the moral and the just right to do — that Turkey shall perform her promises, you would successfully deal with the danger which remains. It may be said you will not be able to persuade the other Powers of Europe. I am not quite sure that an impression does not prevail that England is not the only obstacle in the way of obtaining such an understanding. But even if it were not the case, would you be any worse after making the attempt than you are now? Another objection is that this means coercion. Logically it may mean coercion; but will anybody tell me that if once the Turks got into their heads the belief that not only England, but the whole of Europe, was absolutely in earnest in this matter, they would resist the united voice of Europe? I believe it would then be unnecessary to have recourse to coercion. I trust the last construction put will be the one we shall hear from the authorized Representatives of the Government. If they follow that course they will meet with great success—and I am sure it will be a success which will be welcomed by the great majority of this House, and by all classes of politicians, with unfeigned pleasure and approbation.

THE EARL OF DERBY: My Lords, I am bound to say that in the generally fair, moderate, and temperate speech of the noble Earl opposite there are some points in which I am compelled to differ from him; but there are also some in regard to which I entirely agree. I agree with the noble Earl in the well-deserved compliment he paid to the noble Lord who moved the Address. I also agree with him in the expression he gave to your Lordships' feelings with regard to the accession to this House of my noble Friend at the head of the Government. But, my Lords, there is one subject, and one subject alone, which so occupies and monopolizes public attention, that I feel I should be wasting your Lordships' time if I were to dwell on any of those minor and comparatively unimportant questions which are mentioned in the Speech from the Throne. It is the question of Eastern politics, and that question alone, that occupies the general attention, and it is one of such magnitude that I feel some difficulty in attempting to deal with it. And even after the speech of the noble Earl, to which I listened with the utmost attention, I find it difficult to ascertain what are the precise points in those long and complicated negotiations, which have lasted 18 months, to which he takes exception. Probably, when the Papers are in your Lordships' hands we shall be enlightened on that subject. I am able to say that these Papers will be presented this evening, and will be circulated, I hope, to-morrow; and though they are of a voluminous character, the noble Earl will agree with me that that is a necessary evil, and much better than that there should be the omission from them of any material circumstance. The charge against us on which the noble Earl chiefly dwelt, and of which we have heard a great deal out-of-doors, is that we have changed our policy. The noble Earl was just enough not to impute motives—

EARL GRANVILLE: I said I approved the change.

THE EARL OF DERBY: If the noble Earl says he approves our changed policy, that means that he condemns our former policy. My contention is that there is no room for such condemnation.

When a change of policy is spoken of, it may mean one of two things—it may mean that, the circumstances being the same, we have at different periods dealt with them in a different spirit—and to a change of that kind the reproach of inconsistency justly applies: or it may mean that, the circumstances becoming altogether different, we have modified our course of action in order to meet the altered condition of the case—and that, as I conceive, is no reproach at all. It is simply what every Government in every country always has done and always must do when dealing with international questions. If, therefore, the noble Earl means that, the circumstances being the same, we have pursued different policies, I say the imputation is unfounded; but if he only means that, the circumstances being different, we have in some degree altered our course of action to meet those altered conditions, that seems to me reasonable. Now, what was our course of action? Some 18 months ago, as the noble Earl has reminded us, we were extremely unwilling to take diplomatic action—that appears sufficiently from Papers already published. For my own part, I neither deny the fact, nor think it requires any apology. My Lords, at the risk of seeming to assert a paradox, I will repeat a statement I made as long ago as September, 1875,—namely, that the insurrection in Herzegovina was in the beginning a very unimportant affair, and that, with the most ordinary display of energy and skill on the part of the Porte, it might have been suppressed in a few weeks, and probably without any appreciable loss of life. The insurrection was encouraged by the sympathy which was extended to the insurgents from outside, by the almost incredible apathy of the Turkish authorities, and by the bankruptcy of the Turkish Empire. But in itself it was a small affair, and it appeared to us that there was a disposition in some quarters to give the matter a degree of diplomatic importance which it did not deserve. Then came the Andrassy Note. It did not originate with England; it was assented to by us, but not very readily; but we assented, for this reason among others, that the Porte itself preferred that we should take part in the intervention, since intervention was to take place. That Note was accepted by the Turkish Government. But, as your Lordships know, the insurgents had their own ideas of what they wanted, and they were not inclined to be pacified by the reforms promised. They went on fighting, and I do not recollect that at the time there was any great desire to press on them the acceptance of the conditions offered, though they had been pressed with so much eagerness on the Porte. Negotiations took place, with the result already known. Then came the Berlin Memorandum. We refused to join in that Memorandum; and I venture to say that our resolution not to join in it was thought right by all parties in England with insignificant exceptions. I explained last year our reasons for the course pursued. Setting aside questions of detail, we had two reasons for that conclusion, and time has thus far rather strengthened than weakened them. One was that the engagements imposed on the two parties respectively were one-sided and unequal. The Porte was to be bound, the insurgents were not. The other reason was—I did not mention it at the time, but I may without scruple mention it now—that, if we accepted the Memorandum, we should, as I conceive, have bound ourselves to concur in those "efficacious measures" by which diplomatic action was to be supported; and I think the experience we have since had excludes any reasonable doubt that what was meant was that we should join in a military occupation. To that policy we did not assent; it is a course we have always repudiated and rejected. We did not wish to stand aloof—we were quite ready to advise, to warn, if necessary to mediate; but from the first we have carefully guarded against the risk of being drawn to join in any armed coercion to be applied to the Porte, which probably might have involved us in a war inconsistent with our interests, and, as we believe, with justice. Later, when we went into the Conference we told all Europe at the outset—as I think it was our bounden duty to do—that we would not take upon ourselves to enforce its conclusions by force of arms, although we stated at the same time that, if the Porte refused to follow the advice which might be given, we should not hold ourselves bound to protect the Sultan against the consequences of his own acts. These are the views we held in the middle of last year. I know there is an idea in the public mind that at the time of the refusal of the Berlin Memorandum we were ready to go to war in behalf of Turkey, but that, an agitation springing up in consequence of the outrages committed in Bulgaria, we suddenly changed our course in deference to the feeling so shown. To that I will give a very simple and conclusive answer. In May last, just after the Berlin Memorandum had been rejected, and when the Fleet had been ordered into Besika Bay, I warned the Turkish Ambassador that times had changed since the Crimean War; that the state of things was no longer the same as it had been, and that the Porte would not act wisely in relying on more than the moral support of England in case of war. I think that is a sufficient answer to any charge that on the decisive question of peace or war we altered our policy in consequence of a change in public feeling. The noble Earl (Earl Granville) repeated to-night a remark which he made last year—that when we rejected the Berlin Memorandum we ought to have proposed some substitute for it. One answer to that remark I gave at the time. I told your Lordships that it seemed to me that the moment when we had refused a proposal strongly pressed upon us by all the Powers was not one when we could reasonably expect the Powers to listen favourably to our suggestions. But another reason, which I do not hesitate to give now, was that if, as we believed, the Berlin Memorandum was intended to lead to a policy of joint military occupation—that being a policy in which we could not agree—no plan was likely to be accepted by the Powers which did not lead to that result. My noble Friend (the Earl of Beaconsfield) made a speech at Aylesbury to which reference naturally has been made by the noble Earl this evening. My noble Friend was quite right in saying that negotiations—or I should rather prefer to call them discussions—with the Powers did not cease after the rejection of the Berlin Memorandum. It is quite true also, as I stated, that we had no proposal to make at that time; and I am not surprised that it should have been thought that there was some discrepancy between those statements. But the discrepancy is in appearance only. The fact is that I had no proposal to make because, after an almost daily communication with the Representatives of the various Powers, I had become satisfied that there was no immediate opening for any proposal of united action. Some scheme of the character of administrative autonomy was frequently discussed; but objections were taken to any such proposal, because on the part of one of the Powers, at least, it was believed that this administrative or local autonomy would shortly turn into complete autonomy. These differences were lessened, but not wholly removed, when the war with Servia began, and the negotiations were interrupted. Well, what did we do? When the Servian war broke out it did not require any great foresight to see that the insurgents would not long be enabled to resist the arms of Turkey, and that an attempt would be made to obtain the mediation of the Powers. We anticipated that application. Under the pressure of no agitation—for agitation at that time did not exist—we simply, as a thing in the interest of European peace, advised Her Majesty, in the Speech which closed the Session, to offer our good offices in the event of an appeal from Servia. That happened which we anticipated. The request was made, and we complied with it. Then came a suspension of hostilities, followed by that long series of negotiations for the re-establishment of peace of which we have not yet seen the end. These negotiations I need not now recapitulate, partly because they are fully related in the Papers which will be laid before your Lordships, and partly because, up to the time immediately preceding the Conference, a statement of what had been done is already before the public. Parliament not being assembled and the interest on the subject being very great, I thought it desirable that there should be some authentic and public record of what occurred, and I accordingly directed a despatch addressed to Lord Augustus Loftus, and containing such a record to be published in the newspapers. Then came the Conference itself; and as to that, your Lordships and the public will have the fullest opportunity of knowing what occurred. I am glad to see that full justice has been done not only to the course taken by the Government in sending my noble Friend (the Marquess of Salisbury) upon his mission to Constantinople, but also to the exceeding ability with which he has discharged his arduous labours. But notwithstanding the ability thus shown by my noble Friend, I have heard it said—it was said only the other day by a very eminent, but certainly not a very dispassionate critic of those affairs—that the Conference had been a woeful and signal failure. Well, before coming to the conclusion that the Conference has been a failure, you must first consider what were the objects we had in view in assisting at a Conference. Of course, if you look upon it in the light that all Europe united to press upon the Porte the one particular scheme of reform on which the Conference insisted, and that that scheme of reform was rejected; if you regard that scheme as an end in itself, there has been a failure to accomplish it. But I say, and I am quite sure that my noble Friend (the Marquess of Salisbury) would also say that the immediate plan brought before the Conference was not in itself an end, it was only a means to an end. The object we had in view was two-fold—first and mainly, the preservation of European peace; and, next, such an amelioration of the internal administration of the Christian Provinces of Turkey as would secure Europe from a return of the disturbance and anxiety experienced during the last two years. Now, having in mind these objects, it does seem a little premature to say that the Conference has failed in bringing about either of these two results. Of the prospects of European peace I am bound to speak with reserve. Practically, the decision rests with a single Power—almost with a single man; and a graver responsibility than that which at present rests on the head of the Russian Empire never perhaps devolved upon any human being. But I will say this—that if peace is desired—and I sincerely hope and believe that it is—the Conference has done much in various ways to prepare and to smooth the way for peace. In the first place, it has gained time. That may be thought a small matter; but in diplomacy it is often anything but a small matter. The state of opinion which exists in Russia is now, so far as we can ascertain, very far removed from that which existed a few months ago. Then report told us of general excitement, of general ardour and enthusiasm for a new crusade. Now the re-action has come, and I am assured that among influential persons in Russia there is a growing disposition to consider calmly and coolly the chances and risks of war, and not rush into them hastily. My Lords, taking all these circumstances into consideration, if nothing else had been gained by the Conference than the interposition of two or three months before the course of the Russian Government had to be decided, I should say that, even from that point of view, the labours of my noble Friend and of his Colleagues would not be thrown away. But that is not the most important part of the work which the Conference has done. It has enabled us to know more clearly than we knew before what it is that Russia asks—or, rather, perhaps I ought to say, what Russia will be prepared to accept. We know, on the other hand, what the Porte is willing to concede. I do not lay much stress, any more than the noble Earl opposite, upon the new Constitution of the Porte; but, before pronouncing an opinion upon it, I should wish to see whether it is fairly and honestly put into practice, and if it is so put in practice, how it works. Before the Conference was held we knew there were certain things which the Porte was willing to entertain, and that there were certain other things which the Porte would resist. Thanks mainly to the energy and decision of my noble Friend, the original Russian programme, which there was no hope of the Porte accepting, has been cut down in material points. The question is now between that which can be peaceably obtained from the Porte and that which has been ineffectually asked from the Porte; and Europe will have to consider whether the difference between the two is so wide as to give any reasonable cause for war. But there is another point in connection with the Conference to which I must call attention. The Conference has put an end to a state of things which had become full of danger. The Servian war, as we all know, had become in fact, though not in form, a Russian war. Russian Volunteers constituted the whole fighting strength of the Servian army. A Servian defeat was therefore a Russian defeat, and was felt as such in Russia. A very little more of the exasperation which that campaign produced in Russia and it would have been difficult, if not practically impossible, for the Emperor to keep a Russian Army out of the field. Well, that state of things has passed away. The Russian Volunteers have gone home—not in the most affectionate disposition towards their Servian allies. The Servians are not in the least disposed to call them back; and the question is not now ostensibly one in which Russia is on one side and Turkey on the other. Russia is only one of six Powers which have taken a common part in the discussions of the Conference. The Emperor may therefore perfectly well say to his subjects that he sees no reason why he, single handed, should take on himself to resent a slight which was equally sustained by all Europe, or to enforce views which were equally those of every other European Power. What the result may be no man can foretell; but I am sure of this, that the Conference has left us in a far better position as regards the prospects of peace than that in which it found us. Then as to the other object for which the Conference met—the improvement of the internal administration of the disturbed Provinces of Turkey. The objection taken by the Porte to the proposals of the Powers was almost entirely an objection, not to the reforms proposed, but to the guarantees demanded for their execution. The Porte refused these guarantees as being dangerous to its independence. I think, for my own part, that in that respect the Porte was wrong, and that it would have been better for the Porte to do as we have often known individuals in embarrassed pecuniary circumstances do—that it would have been very much wiser that he should put his affairs into the hands of trustees and submit to conditions which might for the moment have been disagreeable, but which would have been a security against war, and which, having answered their purpose, might no doubt have been relaxed after a time, when further evidence had been given of the sincerity with which they had been accepted. But the Porte has taken on itself the responsibility of working out its own reforms in its own way. I will not venture to predict the issue; but I believe that at Constantinople the gravity of the situation is understood; that there is a sincere desire to avoid anything that can give ground of a quarrel to any European Power; and that the Ministers of the Sultan see, as we do, that the best security against any such quarrel lies in adopting on their own initiative the substance at least—though it may be in a different form—of the proposals of the Conference. There is nothing to prevent their doing that if they please; and if they do, the credit of their action will be fairly due to the Conference, since without that the action would probably not have been taken. We, as I conceive, have a plain course before us. We have said from the first that though we would press on the Porte the recommendations of the Conference, we could not use, or sanction the use of, force, though at the same time we could not undertake to protect the Turkish Empire from force used by other Powers. That, as I have already said, was our language as long ago as May last. We have never varied from it, and I think it places us in a plain and intelligible position. I am not anxious to dwell upon an argument of which we shall probably hear a good deal in the next few weeks—as to whether the internal defects of Turkish administration can operate as a release to us from the Treaties of 1856. I do not think the argument a sound one, for two reasons—first, because when we made those Treaties, whatever their force may be, we did so, not on account of any disinterested affection for Turkey, but on account of the European interests involved; and next because the Treaty of Paris, dating from 1856, was formally renewed in 1871, and it can hardly be said by noble Lords opposite that to renew that Treaty in 1871 was a mistake, since they themselves did it, or that the character of Turkish administration has changed so much in the last six years that what was a duty then is an offence now. I think, therefore, that the whole question, looked at in that light, is rather pedantic than practical. Obviously a Treaty can only be held to apply to circumstances analogous to those in which it was made; and if a Power which you are bound by Treaty to protect declines your advice and acts in a different sense, you cannot be pledged to support that Power for an indefinite time against the possible consequences of its own action. This is not the time to go into an argument as to the wording of our Treaty engagements, and it is therefore only in passing that I remind your Lordships of the precise nature of the two Treaties into which we entered in 1856. The first is the Treaty of Peace, bearing date March 30, 1856, by which we undertake to "respect the independence and the territorial integrity of the Ottoman Empire; guarantee in common the strict observance of that engagement; and will in consequence consider any act tending to its violation as a question of general interest." Now mark, my Lords, the words of that Treaty, for they are important. We undertake to respect the integrity and independence of the Ottoman Empire. That is easy enough for us, who certainly have no designs against Turkey. We guarantee in common the strict observance of that engagement—that is, we each undertake to observe it, and to do what we can to make others observe it; but there is no shadow of a promise in that Treaty to make non-observance by other Powers a *casus belli.* The words stop short of that; they carefully avoid any such pledge—in fact, they point directly to a different course of action—namely, to collective discussion and negotiation. As far as that Treaty is concerned, therefore, we are in no sense bound by a promise to fight for Turkey. And that we are not so bound is the more clear from the fact of this Treaty having been supplemented by another, which would have been superfluous if the first Treaty had imposed the obligation in question. The second Treaty is that entered into between England, France, and Austria, which is undoubtedly of a more binding character, since it pledges each of the Powers to regard any infraction of the former Treaty as a *casus belli,* and, on the invitation of the others, to concert measures with the Porte. But that is not an engagement entered into with the Porte. It is not an engagement to which the Porte is a party. It does not, therefore, bind us in any way except to France and to Austria; and, unless France and Austria call upon us to interfere—a step which, in existing circumstances, they are not in the least likely to take—it binds us to nothing at all. I think it well to give that brief explanation, because I have seen a good deal of confusion and misunderstanding on the subject. While I say what I have said about Treaty obligations I wish to guard myself in one respect. I am only contending for the freedom of England to act or not to act as she may think fit. I am not contending that under all possible circumstances—such, for instance, as that of Constantinople being threatened—inaction would be our duty. That is a question on which it would be quite unnecessary and wholly unwise to pledge ourselves now. But I wish to point out that in the language which we held in May last, and which we have held throughout, we were not departing from the engagements into which the country has entered, but simply declining to give them a construction more stringent than they will fairly bear. The noble Earl opposite (Earl Granville) adverted—and I do not quarrel with him for doing so—to the speech delivered at Guildhall by my noble Friend the First Lord of the Treasury. He asked why my noble Friend delivered that speech when he had the pacific assurances of the Emperor of Russia in his hand. It is, of course, a very difficult thing to describe the general tenour of a speech, because this cannot be done unless you read it through and comment upon it line by line. I must say, however, that I do not regard my hon. Friend's speech as being in any sense a challenge or a menace. It was not so regarded at the time of its delivery, and I do not think that character would ever have been ascribed to it but for the accident of the Moscow declaration of the Emperor following a few days later. Everybody took that declaration as a reply to the Guildhall speech, and people said, not unnaturally, that it was a matter of regret that the provocation to utter it had been given. But we have the best means of knowing that the speech was not a reply, and that the Emperor of Russia had no knowledge when he delivered it of what had been said at Guildhall. The coincidence in time was merely accidental. Again, with regard to the pacific assurances of the Emperor of Russia—although I do not doubt his personal sincerity, it must be remembered that even an Emperor of Russia is not all-powerful. Events may be too strong for him. His hand may be forced, and he may be compelled by public opinion, or feeling, in his own country to do that which he may not personally wish to do. Therefore, while accepting his pacific declarations as sincere, I decline to accept them as a sufficient guarantee against war. I now, my Lords, pass to another subject. The noble Earl opposite (Earl Granville) referred to the despatch which I wrote after the occurrence of the Bulgarian massacres, and I think he asked me how I could reconcile the language held in that despatch with any theory of the independence of Turkey? If I mistake not, I could recall instances in which language quite as peremptory has been used towards Powers which were confessedly independent; but if the noble Earl wishes to know by what right I used the language which I did, I would tell him that we used no menace, and threatened no coercion; but that the position in which we were placed in regard to the Porte was one which was altogether peculiar. We were engaged in the work of mediation on behalf of Turkey as well as the other belligerents; we were trying to put an end to the war between them; and in the capacity of mediators we had, I contend, the same right to hold the language which I held that a counsel has to tell his client—"If you do so and so I shall throw up my brief." There is no threat from beginning to end of all that I have written on the subject, except the threat of withdrawing our moral support. We used no menace. We simply said that if certain things were not done the Porte would forfeit our moral support as well as that of Europe. And, surely, it is no violation of the independence either of a nation or of an individual to say —"If you persist in putting yourself in the wrong, I shall wash my hands of your affairs." On the general question as to what precise extent we were justified in exercising intervention in favour of the Christian subjects of Turkey, I do not think that I ever, to the best of my recollection, either in this House, or elsewhere, used language to the effect that such intervention was forbidden by treaty. What I believe I have said was a very different thing — namely, that I did not conceive we had a Treaty right to do so under the Treaty of 1856. But as for the general moral obligations imposed upon us by our relations with the Turkish Empire, I never, to the best of my knowledge, used any language denying or disputing the reality of those obligations. What I have affirmed, and what I now repeat, is this—that interference in the internal affairs of a foreign country is one of those remedies which ought to be used only very rarely, and never without real necessity. You cannot have a worse Government for any country than one composed of a committee of foreign Representatives which should undertake to regulate its action. They, in the first place, would not be likely long to pull together; in the next place, their acquaintance with the affairs of the country would be naturally very limited; and, above all, they would be altogether irresponsible. These are, I believe, all the remarks with which I need trouble your Lordships at present. The noble Earl opposite asked whether there was any further information with regard to the Bulgarian massacres to be produced. The Papers which have been laid on the Table will, I think, give the latest reports in connection with that subject. For the rest, I am quite aware that the discussion of this evening is only the beginning of many discussions which will probably be held on this question. We have done our utmost for the maintenance of peace. We believe we have done all that at the time was possible. If we have succeeded in preserving the peace of Europe, we shall be amply rewarded for the many anxieties of the past year. If we fail—and, of course, it is possible we may fail—we shall not be discouraged, and we shall continue to use such exertions as may be in our power to abridge and to lessen a calamity which we may not have been successful in wholly averting. In any case, we put what we have said and done fully before the public, and we shall appeal with confidence to the country and to Parliament.

The Duke of ARGYLL: As I took some part in the agitation to which the noble Lord opposite referred at the commencement of the evening, I trust your Lordships will allow me to say a few words in reply. The reference was made in a speech of very great ability; but, sharing as I do fully in the feelings which have been expressed by my noble Friend behind me with regard to the accession to this House of the noble Earl opposite (the Earl of Beaconsfield), I certainly shall not comment in a tone of anything like asperity on what has recently fallen from him—for as a general rule the language he holds towards his opponents is not only full of humour, but full of good humour. I, however, regret the more on that account that he should, during the past autumn, have spoken in terms of such extreme harshness of those who took part in the agitation to which he alluded. I will attribute it to momentary irritation. I do not, at the same time, consider this a fitting opportunity for that full and ample discussion by which only that agitation could be completely explained and defended. I shall, therefore, wait until the Papers are laid on the Table of your Lordships' House, and shall then take the opportunity of stating fully to the House the grounds on which I deemed myself to be justified in taking part in that agitation. I am sure no Member of this House—no Peer, no Englishman—would wish to call in question the right of public speaking—it is one of the dearest rights as well of Englishmen as of Scotchmen and Irishmen. But this I will confess frankly—that, in my opinion, public meetings in general ought not to interfere with the foreign policy of the country, which is for the most part concerned with matters of extreme delicacy and much difficulty, embracing *nuances* and shades which it is almost impossible to make plain to a public assembly. I therefore admit that there ought not to be such interference as that of which I am speaking, except in extreme cases; and unless I make out such a case when the subject comes before your Lordships, I will submit to any censure which your Lordships may pronounce. I wish, in the next place, to refer very briefly to the speech which we have just heard from the noble Earl the Secretary for Foreign Affairs. I am free to say that that speech has disabused us on this side of the House of an impression which was created by the language, not officially reported, but which is supposed to have been held by the noble Marquess who was the special Envoy of this country at Constantinople; and, having mentioned him, I hope I may be allowed to add my humble tribute of respect and admiration for the acceptance by him of the mission which took him to Turkey. I believe no purer act of patriotism or of public duty has ever been performed. He undertook a task from which he had nothing to gain, while he submitted, in going to Constantinople, his reputation to some risk. That reputation, however has certainly not been sullied, and I know no case, although Party spirit is a thing of which I have had considerable experience during my public life, in which all Parties so eagerly united to hail an appointment as in that of the noble Marquess, and to lend him their support. No man, I may add, hailed more gladly than I did his appointment, or felt more confident that he would uphold the honour and interests of England. My Lords, I now return to the speech of the noble Earl the Secretary for Foreign Affairs, who denies that there has been any change in the policy of the Government with respect to this Eastern Question. I wish to point out to the House what I look upon as an entire change of policy. Up to the date of the 12th of August and from the close of last Session of Parliament the public in this country had no right to suppose, and no reason that Government were shaken in the policy which they had pursued up to that time—the policy of absolute non-intervention in the internal affairs of Turkey—not only non-intervention as regards ourselves, but remonstrance with, and resistance to, all the other Powers of Europe for mixing themselves up in those affairs. The noble Earl, after the famous Berlin Note, in writing to Sir Henry Elliot, distinctly says that it was the policy of the Government to avoid and prevent all interference of the States of Europe in the internal affairs of Turkey. There can be no doubt about that, he repeats it over and over again; and up to the time of the public meetings held in the autumn this was believed to be the fixed policy of the Government. On the 11th of September, however, as reported in *The Times* of the 12th, a deputation of Conservative working men waited on the noble Earl and addressed to him a remonstrance with regard to the affairs of Turkey. I will read to the House the words which the noble Earl used in reply, as reported in *The Times*. He said—

> "So far as those unfortunate Bulgarians who have suffered so much are concerned, they have a right, no doubt, to such reparation as it is now possible to make, and they have a right also, no doubt to the signal, conspicuous, and exemplary punishment of those who have been the offenders. I think they have also a right that in some manner or another we shall take

such steps as may secure them from a recurrence of similar abuses for the future."

My Lords, I say that that was an absolute change of policy—as sudden and complete as if there had been a change of Government. The noble Earl followed up what he said on that occasion by a speech addressed to another deputation, headed by the Lord Mayor of London. That was succeeded by the well-known despatch of the 21st September, in which the noble Earl made the gravest demands on the Turkish Government for the punishment of the offenders and the better security and good government of the Christian subjects of the Porte. These were obligations which the Government considered they had come under in consequence of the Bulgarian atrocities. My noble Friend (Earl Granville) was therefore justified in saying that there was a sudden and complete change of policy, but a change involving no disgrace or discredit whatever upon the Government; and if that language had been held throughout, no censure could be passed upon the Government on that account. With regard to the speech of the noble Earl, the Secretary of State to-night, I regret that I interpret it in another way—as a step backwards, and a very distinct step backwards from these public engagements. In the first place I deplored to hear from the noble Earl a reiterated and distinct statement of his regret that the Turkish Government had not succeeded in repressing the insurrection in Herzegovina and Bosnia. I admit that it is legitimate to regret that a friendly Government has not been able to suppress an insurrection, but on one ground—that you can lay your hand on your heart and say that it is a Government which you ought to support, and which treats its subjects with such tolerable fairness that you can wish it to secure its power over them. Is this the case? Can you lay your hand on your heart and say that this is a Government you ought to sympathize with, and not with the insurrection? I say distinctly in this "high place"—in this "house top" of Europe, that every insurrection against that Government is a legitimate insurrection. Human beings under that Government owe it no allegiance. I heard that declaration of the noble Earl with infinite regret, and it is not one that will satisfy the feelings and consciences of the people of this country. I heard also with infinite regret the declaration of the noble Earl that he was determined in no case to use force to compel the Turks to do justice to their Christian subjects. I do not know whether the noble Earl has already made that announcement to Europe, but if so you might as well not have sent an Envoy to Constantinople. The noble Lord who moved the Address denounced what you have called the "bag and baggage" policy; but I think that is the very policy pursued towards the noble Marquess himself. The noble Lord objected to this idea, because, he said, if the Turks were sent out of Europe they would go somewhere else where they would do equal mischief. I am glad that if the noble Marquess was sent from Constantinople he has come back to us, and I hope his influence in the Government will be in favour of the oppressed subjects of the Porte—as it is reported and believed to have been at the Conference. The noble Earl the Secretary of State has told us that the object of the Conference was two-fold—to secure peace to Europe and good government to the subjects of Turkey. Have you secured good government, or even a tolerable prospect of it? That is what the people of England desire to know. You proposed certain terms for the good government of Turkey, and these terms have been refused. Have you got any others? Have you secured peace? The noble Earl declared that peace depends upon one man, and yet two sentences afterwards he declared he did not think that peace depended on the Emperor of Russia. Which is true? The declaration shows the fundamental error in the policy of the noble Earl. He does not appreciate—he has never appreciated—the forces at work in this question. Do you think this great Eastern Question, which has been brooding over Europe, and which has darkly overshadowed it for 40 or 50 years—do you think that this question which has been forced upon you, reluctant as you have been to see its gravity—do you mean to tell the House of Lords that this question depends upon the action of one man, and that man the Emperor of Russia? And then you profess the next moment to believe that the Emperor of Russia is perfectly sincere. I say you will have no peace in Europe, and you ought to have no peace in Europe, until the well-being of the Christian subjects of the Porte has been secured by the united action of the European Powers. And if you have sent one of your most distinguished Members to Constantinople, declaring beforehand your guns to be loaded with blank cartridge, I say you might just as well have sat still, twiddling your thumbs, as you did for three months before. The noble Earl says that the Conference has not failed, and that we have obtained by it securities for the better treatment of the Christian subjects of the Porte. But the securities have been cut down and brought to such a minimum that no human being will think them worth fighting for. That may be one way of securing peace; but will the Christian population of Turkey be restrained from fighting for something better than you have given them—does he think that the demands that will be made will never exceed this irreducible mnimium? Has the noble Earl never heard of the Sibylline leaves? Do you think that the great forces of religion and the sympathies of people with people, which are at the root of this great Eastern Question, will be satisfied with this irreducible minimum to which the claims of the Christians have been cut down, and to which the noble Marquess seems to have consented? If the noble Earl does not believe that, the Conference has failed, both in securing peace and good government for Turkey. The Secretary of State for Foreign Affairs says that our plain course is to do nothing—to let things drift. The noble Lord who moved the Address said it was very wrong to speak to the man at the helm. There is no man at the helm. You tell us yourselves that you will do nothing—and that you will let the vessel drift on. But you know that there are other powers in Europe besides the noble Earl the Secretary for Foreign Affairs, and much as he may despise sentimentality in politics — forgetting that sentiment rules the world—forgetting that all moral feeling is founded on sentiment—much as he may despise sentimentality in politics, I am greatly mistaken if sentimentality will not be too strong for him if some one does not seize the helm which the noble Earl says the Government has abandoned. I believe that Europe will drift into a bloody and dreadful war. I am not one of those who deprecate war under all circumstances, or who think that peace under all circumstances is the object that ought to be secured by a Christian people. There are causes that are worth fighting for. There are people who desire "peace at any price," but it is a price to be paid by others and not by themselves. "Anything for a quiet life;" but the quietness of life is to be for themselves and not for others. That is a feeling of utter selfishness, and, my Lords, my belief is that this policy will end in war. Let Her Majesty's Government take the European concert in time, so that the European Powers may act together. You have been ever reluctant to take part in this united action; you refused to join with Austria in the Andrassy Note; you were the drag upon Europe; you kept it from acting together for six or eight months. It may be too late now; but, if you have the chance of preserving peace, or of limiting war to one locality or for any definite purpose, for Heaven's sake re-establish your European concord, and do not be so foolish and so weak as to say, "We shall never fight; we shall never force our will on the Turks." This course is one of utter fatuity; and my sincere belief is that sooner or later such a policy will end in a disastrous war.

THE EARL OF BEACONSFIELD: My Lords, the noble Duke who has just addressed us told us that he would reserve his opinion on what he styles this great Eastern Question which darkens Europe until he had read the Papers. What may be his effusion after that function has been fulfilled, with my little experience of this House I pretend not to predict; but I doubt whether he will be able, on that occasion, to show more fiery heat than he has upon the present. The noble Duke has charged us with laying it down as a principle that in no circumstances could we advise coercion to be used towards Turkey. I listened in vain to my noble Friend (the Earl of Derby) if he gave expression to so unqualified a dogma. What I understood my noble Friend to say—and I apprehend there are few acquainted with the circumstances of the case who would not agree with him—was this—that coercion was not the policy of this country in reference to the

Christian population of Turkey; and my own opinion is that if we had had recourse to coercion, or if coercion had even been threatened, these massacres which we so much deplore would have been extended and aggravated. I should like to collect from the noble Duke on the subject of this great Eastern Question, the shadow of which is brooding over Europe, what he believes to be the elements of that Question. The noble Duke has treated it entirely as if it referred to the condition of the Christian subjects of the Porte. I believe there is a general anxiety among all parties in this country, and, indeed, on the part of most European Governments, to secure the amelioration of the Christian subjects of the Porte. The noble Duke says that that is a matter which we entirely discard; but surely this is not a just description of the policy of the Government. We commenced by giving our adhesion to the Andrassy Note, which certainly involved a great interference with the condition of the Christian subjects of the Porte. In my opinion, if it had been introduced more favourably to the notice and consideration of Europe, and if it had been worked out in detail, it contained practical propositions, which, in quiet times, were susceptible of effecting, for that population most of the results that were desired. Am I to understand from the noble Duke that in his mind the only element of this great Eastern Question is the condition of the Christian subjects of the Porte? I am sure that he, a statesman who has had to do with public affairs, could hardly attempt to enforce a proposition so fundamentally weak. Surely, when the noble Duke calls upon us to join with the other Powers of Europe to form a compact body in order that we may effect the object he desires, he cannot have forgotten that the assembled Powers of Europe, when they have to consider this great Eastern Question, have to consider something else besides the mere amelioration of the condition of the Christian subjects of the Porte. Surely some of the elements of the distribution of power in the world are involved in it. It is a question in which is involved the existence of Empires; and really it does appear to me we shall never come to its solution—which probably may happen in the lives of some whom I am now addressing, though not in my own—if we are to discard from it every political consideration, and to believe that the only element with which we have to deal is the amelioration of the condition of the Christian subjects of the Porte. To my mind it is quite clear that if the Powers of Europe work in that direction only, and work, as they probably would if they worked in that direction only without the energy necessary, their interference would only aggravate the condition of the Christian subjects of the Porte and bring about those very calamities of which we have had such recent and such bitter experience. If this matter is really to be treated it must be treated by statesmen; we must accurately know who are to be responsible hereafter for the condition of this population; we must know what changes in the distribution of territory in the most important part of the globe are to be made as the consequence of this attempted solution; and it is only by considerations of that kind—it is only by bringing our minds, free from all passion, to a calm and sagacious consideration of this subject, and viewing it as statesmen, that we can secure the great interests of this country, which are too often forgotten in declamatory views of circumstances with which we have to deal practically—it is in this way only we can secure an amelioration in the condition of the population of the Ottoman Empire. I trouble your Lordships to-night with much reluctance; I would rather have listened to the debate than have taken part in it. However, I could not but enter my protest against the view and speech of the noble Duke upon this question; and I reserve to myself to meet him on the occasion of which he has given Notice, when I shall be happy not only to hear his views, but humbly and with due modesty to offer my own.

VISCOUNT CARDWELL: My Lords, I do not intend to enter at large into this discussion now, but one remark, I think, is due to my noble Friend, the noble Duke behind me. He did not limit his view to the case of the Christians alone. His argument applied to the whole question, and was that the conduct of the Government in all the earlier stages of it had been a course of mischievous inaction. Have you refuted this argument? You (the Government) admit that you have accompanied all the efforts you have made for the purpose of carrying out your policy by the dangerous statement that you would not attempt to enforce it. Proposals made by Governments with the statement that they will in no case be backed up by force are really worthless, and had better not have been made at all. When you acceded to the proposal for a Consular Commission, you stated that you did it in deference to the wish of the Turkish Government, and you let it be understood there would be no penalty if that Government did not meet the views of the Commission. If that Consular Commission had been backed up by our representation to the Turkish Government that it was of importance our policy should be carried out, in all probability the Commission would not have been ineffectual. Although the Andrassy Note came from the Government of Austria, which was least likely to propose hostile interference, you gave it, as you stated at the time, a reluctant and hesitating adhesion, and you caused it to be clearly understood at Constantinople that no evil consequences would follow if the Turkish Government treated its proposals with neglect. I own I am astonished to hear the noble Earl say that we were parties to the Andrassy Note, when the Correspondence makes it so clear that, though this was the proposal of United Europe, we declined to be parties to it, and that it was only because Turkey wished us that we eventually became parties to the Note. It was upon a declaration made by you to that effect that the Andrassy Note was treated by Turkey with indifference. Count Andrassy told us that unless there was united action on the part of the Powers for the purpose of effecting improvements in the provinces of Turkey, Servia and Montenegro would go to war, and Bulgaria in all probability would be drawn in. You neglected that, however; you practically refused to join Austria on that request; and your verbal adhesion was almost worse than not joining at all, for it gave assurance to Turkey that she might disregard the united Powers. You were entreated by every Power in Europe to join in the Berlin Memorandum, and you refused; you took to yourselves great credit for refusing, and for securing the co-operation of Europe in a policy of non-interference. These were the arguments of the noble Duke (the Duke of Argyll), who has been entirely misunderstood by the noble Earl the Prime Minister, and whose argument was a just reply to that of the noble Earl the Foreign Secretary. I acknowledge the gravity of the question; and having no desire to anticipate the Papers which are about to be presented, I reserve my arguments until this information is fully before us.

THE MARQUESS OF SALISBURY: My Lords, I must commence the few observations I have to make with the commonplace protest that I do not intend to enter on this question until the Papers relating to it are before the House. When they are, I think the noble Duke opposite (the Duke of Argyll) will not find that they support his doubts as to whether my own action at the Conference expressed the views of my noble Friend behind me (the Earl of Derby). He will there find that the words there used, whatever they were, were fully authorized by the Cabinet. But I rise rather to protest against the view laid down as to the duty of the Government with respect to coercion—namely, that we ought to adopt a course which in times past has been too popular with Governments of the colour of the noble Duke opposite, and use threats of coercion while we are hazy in our own minds as to whether we shall follow them up or not. Now, whatever other opinions may be formed on this subject, I must lay this down with some confidence—that any threat or intimation of a threat of coercion should never be made by the British Government until it is absolutely prepared to follow up the menace. It is very easy to talk of threatening coercion against the Turkish Government; but have you picked the idea to pieces in your own mind what you mean by coercion? I know it means that your fleet may sail up the Bosphorus and threaten Stamboul. But, suppose Turkey refuses, you can do nothing more. I do not suppose that military coercion, considering the extent of the Turkish Empire, would be a course which military strategists would recommend—a naval coercion would naturally be adopted. But suppose Turkey refuses, and you proceed to the *ultima ratio*—you might indeed dethrone the Ottoman dynasty—that would be the signal for confusion and anarchy in every part of the Empire. You announce to all the Mahomedan population that the dynasty to which they have for hundreds of years been attached, and to which they are attached still, has been struck down by a Christian Power in the cause of Christians. You make this declaration to a mixed population of Mahomedans and Christians—and the Mahomedan population being armed and the Christian population being still unarmed, what would be the result but a most frightful exaggeration of those terrible scenes of which we have heard so much as occurring in Bulgaria? The policy of coercion is, with respect to any country as regards its internal affairs, one of the gravest and most responsible policies which a Government can adopt. It used to be somewhat in fashion—we have tried it in past times; but I doubt if we have ever tried it with effect and benefit to those whose condition we desired to ameliorate. In more recent times we have sometimes threatened coercion without carrying it out; but I do not think that on these occasions we have been really kind and beneficent towards those in whom we were interested. I do not desire to make any pledges for the future. In the speech of my noble Friend the Foreign Minister there was no language pledging the Government as to the future. He stated what our policy had been in the past. He stated that he thought intervention, as a rule, was exceedingly dangerous. He stated that the grounds of it depended on considerations of high expediency, and that he would not pledge himself that there was no contingency in which inaction would cease to be our duty. I think he went as far as it is the duty of a Foreign Minister to go. It is not the duty of any Foreign Minister to announce contingent policies in this House. But I must demur to the inference that because he has not threatened coercion, and because he has not intimated what he should do in certain contingencies, that there is any want of friendliness on our part or of interest in the lot of the deeply suffering subjects of the Porte. I feel sure when my noble Friend the noble Duke reads the Papers he will be convinced that our feelings, though they may not, perhaps, be expressed with so much eloquence, are not less earnest—are not less vivid—than of those who criticise our proceedings. In the same spirit I entirely demur to the criticism passed by my two noble Friends opposite upon what fell from my noble Friend the Secretary of State with respect to the insurrection in the Herzegovina. My noble Friend expressed a wish that that insurrection had been speedily suppressed, and that has been treated as language approving of cruelty. Has the noble Earl rightly considered all the sufferings that followed, the terrible dangers that then existed, and the uncertainty that still hangs over the fate of those engaged in it? I deny the doctrine that has been laid down that insurrection, even under a much worse government than that of the Porte, is always legitimate. I should prefer to lay down the doctrine that insurrection is only legitimate even under a very bad government when it has a fair prospect of success. My noble Friend measured the future, he knew the trials and the miseries that were in store for them—he was well convinced—and the event has proved that he was right—that there would follow insurrection sufferings far greater than those they, the Christians, had already endured; and he wished that relief might come through the slow process of negotiation rather than through the dangers of a bloody insurrection; and after all the events that have so deeply moved our people I think my noble Friend has shown that he was wise and sagacious in saying that the insurrection should not be allowed to continue. My Lords, I feel that we are under a great disadvantage in attempting to prolong any such discussion as this in the absence of the Papers relating to the subject. It has only been necessary for me to speak because I observed in the speeches of the noble Lords opposite an attempt to attach to the opinions we entertain and the policy we have pursued a want of sympathy with the Christian populations which have so deeply suffered. I desire to repudiate that imputation in the most distinct and emphatic manner, and to say that their interests have never been absent from our minds; but we have also had present to our minds the danger that hasty and unwise action might produce to those whom we designed to benefit. We entertained the hope, and still entertain it, that by slower and more peaceful means all our objects may be accomplished.

LORD WAVENEY, who was very indistinctly heard, was understood to say that by the rule which Turkey had herself adopted in the face of Europe, Turkey should be judged. As she had rejected European counsels, from European counsels let her be excluded henceforth. He did not desire to see the population of Constantinople or other places suffering from the course which the Government had adopted; but he did say that the Government and the people should be placed in such a position as would show that Europe was in earnest. He did not agree with the noble Marquess (the Marquess of Salisbury) that our fleet was the only means of coercing Turkey that we possessed. It was quite possible to separate the Turkish capital from the main sources of its supplies and resources. The fleet that had lain in Besika Bay would be strong enough to bar the entrance to the Dardanelles. Let the population of Constantinople be made to derive its daily food from the provinces of the interior, and the Turkish Government would be speedily aroused to the perception that should necessity arise we had other means of coercion than the employment of absolute force. The Christian element was the first and the most important in this question, because it was the persecution and the oppression to which the Christians in Turkey were subjected that constituted the cause of disquiet and trouble to Europe; and that disquiet and that trouble should no longer be allowed to exist. He still thought it right to protest against the assertion which had been made that there was only one way of coercing Turkey. He believed that the employment of the legitimate power of England would be found available and sufficient for all such purposes as were necessary; and available and sufficient, above all things, for proving to the Porte that there was a real and substantial power in this country.

Address *agreed to, nemine dissentiente,* and ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The Earl of Redesdale appointed, *nemine dissentiente,* to take the Chair in all Committees of this House for this Session.

Committee for Privileges — Appointed.

Sub-Committee for the Journals—Appointed.

Appeal Committee—Appointed.

House adjourned at a quarter before Nine o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 8th February, 1877.

The House met at Two of the clock.

A Message from Her Majesty, by the Yeoman Usher of the Black Rod—

"Mr. Speaker,

"The Queen commands this Honourable House to attend Her Majesty immediately, in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to attend Her Majesty:—

And having returned;—

NEW WRITS DURING THE RECESS.

Mr. Speaker acquainted the House—that he had issued Warrants for *New Writs, for* Buckingham County, *v.* Right honble. Benjamin Disraeli, now Earl of Beaconsfield; *for* Universities of Glasgow and Aberdeen, *v.* Right honble. Edward Strathearn Gordon, Lord of Appeal in Ordinary; *for* Salop County (Southern Division), *v.* Right honble. Sir Percy Egerton Herbert, K.C.B., deceased; *for* Frome, *v.* Henry Charles Lopes, esquire, a Judge of Her Majesty's High Court of Justice; *for* Liskeard, *v.* Right honble. Edward Horsman, deceased; *for* Waterford County, *v.* Sir John Esmonde, baronet, deceased; *for* Sligo County, *v.* Sir Robert Gore Booth, baronet, deceased.

NEW MEMBERS SWORN.

Honble. Thomas Francis Fremantle, *for* Buckingham County; Henry Bernhard Samuelson, esquire, *for* Frome; Leonard Henry Courtney, esquire, *for* Liskeard; William Wilson, esquire, *for* Donegal County; John Barran, esquire, *for* Leeds; Right honble. Gerard James Noel, *for* Rutland County; William Watson, esquire, *for* Universities of Glasgow and Aberdeen.

NEW WRIT ISSUED.

For Dublin University, *v.* Edward Gibson, esquire, Attorney General for Ireland.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

THE QUEEN'S SPEECH FROM THE THRONE.

MR. SPEAKER *reported,* That this House has, this day, attended Her Majesty in the House of Peers, when Her Majesty was pleased to make, by Her Chancellor, a most gracious Speech from the Throne to both Houses of Parliament; of which, Mr. Speaker said, he had, for greater accuracy, obtained a Copy:—

And MR. SPEAKER read it to the House.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

VISCOUNT GALWAY, in rising to move that an humble Address be presented to Her Majesty, in answer to Her Majesty's Most Gracious Speech from the Throne, said, that, difficult as was the position of previous speakers who had to perform this duty, the interest which attached to it that day very much increased that difficulty, and he therefore asked the House for that indulgence which it so generously extended to its Members. It was a matter of great congratulation to all that Her Majesty had been able again to open Parliament. Her Most Gracious Majesty's Speech, which had just been read, commenced by referring to a subject not only of great importance to this country, but to the whole of Europe. With the permission of the House he should like to read a short extract from the Speech at the prorogation last year, because he believed this would materially aid them in considering the events which had occurred since then. After referring to the differences then existing between the Porte and its Christian subjects in the Herzegovina Her Majesty said—

> "Should a favourable opportunity present itself, I shall be ready, in concert with My Allies, to offer My good offices for the purpose of mediation between the contending parties; bearing in mind alike the duties imposed upon Me by Treaty obligations and those which arise from considerations of humanity and policy."

That, he believed, was the spirit which influenced Her Majesty's Government during the whole of the past six months, and that policy they had endeavoured faithfully to carry out. He should like now to refer as briefly as possible to one or two of the events which had occurred since that time. At the end of August Servia applied for the mediation of England, and in accordance with that wish the British Government proposed to the Porte an armistice. After some delay hostilities were suspended, and the British Government proposed some basis of pacification. The Porte, as matters were still unsettled, proposed a further suspension of hostilities; but Servia—whether from foreign advice or from an erroneous view as to the feelings of this country, it would not become him to discuss—refused that offer. Soon after there was a proposition for the occupation by a foreign Power of Bulgaria, but it was not found to be acceptable either, he believed, to this or other countries. Various negotiations followed, and at length, at the beginning of November, an armistice of six weeks was agreed upon and a Conference arranged to be held. That Conference was not in contravention or contradiction of any of the provisions of the Treaty of Paris. There was a precedent in the case of the Lebanon. The Conference had, he believed, been productive of very great good, notwithstanding the manner in which it had terminated. It was, in fact, no small gain that the leading Powers of Europe should have met and discussed matters of so much importance to themselves. The result must, undoubtedly, be a better understanding between them; and the Conference might be said also to have cleared up some erroneous and, perhaps, extravagant views as to the possibility of an immediate and instantaneous pacification of those Provinces. It had shown the folly of talking of driving a whole nation out of Europe. That was an achievement not very easy of accomplishment, even if it were desirable. It had also shown that the working out of autonomy for different Provinces would be attended with very great difficulty. Even if the small States in question had in themselves sufficient powers of self-government, it was questionable whether they would offer, as some thought it desirable they should, a sufficiently strong barrier against any ambitious Power. And, lastly, the Conference might be said to have considerably modified the views held as to the manner in which the much-needed reforms in those Provinces should be carried out. He had heard that there were some who advised that those reforms should be forced upon Turkey, and this policy had been urged by those who in former years had advocated "peace at any price." Force meant war, either by this country or by some other Power, and it seemed a curious remedy to propose to increase the prosperity and happiness of the subject races by making their country the theatre of a desolating war. It was the boast of our civilization—and the last Franco-German War, happily, furnished a proof of it — that the horrors of war were almost wholly confined to the actual combatants; but if the passions of Eastern nations were let loose, who could say that they would not result in atrocities as terrible as those which had recently been so justly denounced? What he wished to protest against was the notion that any one political Party had a monopoly of the principles of humanity. Another reform which they must all anxiously hope for was that of the system of farming the revenue of the country. He was informed that a great many of those who were guilty of the abuses connected with that system were Christians, and that brought him to express his deep regret that there should be any attempt to import a religious element into this intricate, delicate, and important question. That element, if once excited, could but bring forth feelings of passion and fanaticism, and when those feelings were roused, it was impossible to say what horrors they might not lead to. A great responsibility undoubtedly rested on those to whom the government of this country was intrusted; but he thought they all must acknowledge that those right hon. Gentlemen were not shrinking from their responsibilities. He contended, however, that the responsibility extended over the last 20 years, since the Treaty of Paris was made. It must be a matter for deep regret if during that time the Government of this country had neglected to see that the promises of reform had been carried out, or if our influence in the East had been in any way allowed to decline. It must also be a subject for regret if the Consular establishment of this country had been so much diminished in those parts as to have become unable to discharge adequately the duties which fell to it. Still more must it be a matter for regret if, when those Treaties which were made at the end of the Crimean War were revised and re-enacted, some few years ago, some further steps were not taken to arrest the progress of misgovernment, and to make sure that the reforms promised were duly carried out. What was their position at the present moment? It was admitted that all the other European Powers had great interests at stake in this question, and that they had a right to watch those interests. Had England not the same right to protect her interests? They had been told, in a despatch from Lord Augustus Loftus, that the Emperor of Russia had assured him he had no wish to possess Constantinople. They knew that no other European Power wished for such an acquisition, and they must therefore earnestly desire that the Turkish nation should continue to hold it, having carried out the necessary reforms. This country would never sanction a policy of coercion, nor would it aid those who, under the guise of humanitarian feelings, desired to advance their own interests; and certainly we could never consent to carry war into inoffensive provinces. So far as we know England is not bound by any fresh pledges but is free to act as seems most advisable for her own interests, and those interests are in every possible way to avert war. When the history of these last 15 months came to be written, it would be shown that the great principle of endeavouring to secure the peace of Europe had pervaded the whole policy of this country. There was room to hope that before the armistice expired, Servia and Montenegro would be able to come to an arrangement with Turkey on fair terms and without foreign interference. There was no doubt the greatest watchfulness must still be exercised by Her Majesty's Government, and so long as they endeavoured faithfully to carry out the policy which had hitherto guided them, there was good reason to look forward to a satisfactory settlement of the question. We rejoice to hear that Her Majesty's assumption of the title of Empress of India had been hailed in that country with such general approbation. The ceremony at Delhi, which took place on New Year's Day, was a fitting sequel of an Act of last Session by which Parliament asserted that the Queen of this country was the paramount power in India, and that she was the head of a great confederation of Princes and peoples. The Durbar at Delhi was the ready recognition and admission of these principles, and the expressions of loyalty at Delhi might be taken as an augury of the increasing stability of our rule in India. One of those frightful visitations to which Eastern countries were liable, owing to the peculiarities of their climate, had unfortunately befallen a great part of India; but there was reason to hope that the experience which had been gained during former calamities would be found of great use on this occasion, and that by means of relief works and without indiscriminate almsgiving, the sufferings of the people might be greatly mitigated. In Bengal, also, there had been an almost unparalleled disaster, a storm wave having devastated a large part of the country, and swept away nearly 250,000 human beings. There were great doubts whether any really effective means could be taken to prevent a repetition of such calamities; but there was some consolation in thinking that on such occasions we were able to show the interest we took in India, and the value we set upon the lives of our fellow subjects in that part of the Empire. It must have been gratifying to hear that the colonies generally continued to progress. With regard to Cape Colony they must all congratulate Her Majesty's Government on the choice of Sir Bartle Frere as Governor. No doubt the experience Sir Bartle Frere had gained in Zanzibar and on the East Coast of Africa would be of great service to him in his new position. Perhaps he (Viscount Galway) was trespassing too much on the time of the House; but it would be scarcely bcoming to sit down without alluding to one or two of the measures that were to be introduced in the present Session. The press of Business last Session, it was to be regretted, did not allow of the House proceeding with the reforms in the Universities of Oxford and Cambridge. Those measures were to be re-introduced, and would, he was sure, go far to advance the cause of education and the prosperity of the Universities. Another measure of great importance, postponed last year, related to the inequalities of local taxation, and on this subject the numerous discussions that had arisen at the Boards of Guardians all over the country would, no doubt, prove of great service. He had no doubt it would be a source of gratification to the Representatives of Scotch constituencies that Her Majesty's gracious Speech contained an assurance that Scotch business would not this Session be neglected. He earnestly hoped that whatever measures were passed during the Session would conduce to the welfare of the United Kingdom and the happiness of their fellow-subjects. He was grateful to the House for the patient hearing it had given him. The recollection of one, who for nearly 30 years enjoyed the privilege of a seat in that House, during four years of which period he was proud to think he was similarly honoured, and one whose memory he must always cherish, had made his duty less easy, and he could assure the House that it was no mere stereotyped phrase when he thanked them most sincerely for the kindness and consideration they had shown him. The noble Lord concluded by moving—

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the Most Gracious Speech which Her Majesty has addressed to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that the hostilities which, before the close of last Session, had broken out between Turkey on the one hand, and Servia and Montenegro on the other, engaged Her Majesty's most serious attention, and that Her Majesty anxiously waited for an opportunity when Her good offices, together with those of Her Allies, might be usefully interposed:

"To thank Her Majesty for informing us that this opportunity presented itself by the solicitation of Servia for Her Majesty's mediation, the offer of which was ultimately entertained by the Porte:

"To thank Her Majesty for informing us that in the course of the negotiations Her Majesty deemed it expedient to lay down, and in concert with the other Powers to submit to the Porte, certain bases upon which Her Majesty held that not only Peace might be brought about with the Principalities, but the permanent pacification of the disturbed provinces, including Bulgaria, and the amelioration of their condition, might be effected:

"To thank Her Majesty for informing us that these bases agreed to by the Powers required to be expanded and worked out by negotiation or by Conference, accompanied by an Armistice, and that the Porte, though not accepting them, and proposing other terms, was willing to submit them to the equitable consideration of the Powers:

"Humbly to thank Her Majesty for informing us, that, while proceeding to act in this mediation, Her Majesty thought it right, after inquiry into the facts, to denounce to the Porte the excesses ascertained to have been committed in Bulgaria, and to express Her reprobation of their perpetrators:

"To thank Her Majesty for informing us that, an Armistice being arranged, a Conference met at Constantinople for the consideration of extended terms in accordance with the original bases, in which Conference Her Majesty was represented by a Special Envoy, as well as by Her Majesty's Ambassador:

"To thank Her Majesty for informing us that in taking these steps Her Majesty's object has throughout been to maintain the Peace of Europe, and to bring about the better government of the disturbed Provinces, without infringing upon the Independence and Integrity of the Ottoman Empire:

"To assure Her Majesty that we share Her Majesty's regret that the proposals recommended by Her Majesty and Her Allies have not been accepted by the Porte; but that we trust that the general agreement among the European Powers, as shown by the Conference, will not fail to have a material effect upon the Condition and Government of Turkey:

"To thank Her Majesty for informing us that, in the meantime, the Armistice between Turkey and the Principalities has been prolonged, and is still unexpired; and to assure Her Majesty that we join with Her in hoping that it will yet lead to the conclusion of an honourable Peace:

"Humbly to thank Her Majesty for informing us that in these affairs Her Majesty has acted in cordial co-operation with Her Allies, with whom, as with other Foreign Powers, Her Majesty's relations continue to be of a friendly character:

"To assure Her Majesty that we rejoice that Her Majesty's assumption of the Imperial Title at Delhi was welcomed by the Chiefs and People of India with professions of affection and loyalty most grateful to Her Majesty's feelings:

"To join with Her Majesty in Her deep regret that a calamity, in the shape of a Famine not less serious than that of 1873, has overspread a large portion of the Presidencies of Madras and Bombay, but to express our confidence that every resource will be employed not merely in arrest of this present Famine, but in obtaining fresh experience for the prevention or mitigation of such visitations in future:

"Humbly to thank Her Majesty for informing us that the prosperity and progress of Her Majesty's Colonial Empire remain unchecked, and that measures have been taken with a view to the safety of Her Majesty's subjects in South Africa:

"Humbly to thank Her Majesty for directing the Estimates of the year to be prepared and presented without delay:

"Humbly to assure Her Majesty that our careful consideration shall be given to the measures which may be submitted to us, and that we earnestly trust that the blessing of the Almighty will attend our labours and direct our efforts."

MR. TORR: Mr. Speaker—Sir, I have the honour to second the Address which has been so ably moved by the noble Lord who has just sat down (Viscount Galway); and I do so, with full confidence in the courteous forbearance of this House.

I heartily concur in the remarks of the noble Lord, expressive of the great satisfaction that it has given to this House, and will give to the nation, that the state of Her Majesty's health has enabled Her Majesty to open Parliament in person at this important juncture.

On entering this Chamber we miss with regret from the front Ministerial Bench a distinguished statesman, who for 40 years has been a prominent Member of this House, for a considerable portion of those 40 years the acknowledged head of the great Conservative Party, and for the last three Sessions the distinguished Leader of this House. The time-honoured name of Mr. Disraeli is no longer upon our *rôle;* we shall miss his brilliancy and terseness in debate, and his mature wisdom at a moment like the present. But all will rejoice at the high honour conferred upon Lord Beaconsfield by his gracious Sovereign, and heartily wish that the noble Earl may long live to enjoy his well-earned reward.

Mr. Speaker, seldom has Parliament re-opened at a moment of deeper import, or more thrilling interest than the present. We have had a Recess which might more properly be called a Parliament-out-of-Session—a Recess of ceaseless anxiety, intense excitement, and of threatened danger. The "Affairs of the East," which at the close of last Session were beginning to excite the anxious attention of this House, suddenly became intensified by more reliable reports of the terrible Bulgarian atrocities. These cruel outrages raised a spirit of just indignation and horror throughout the length and breadth of the land. Men of the highest position seemed to forget their responsibilities and their calmer judgment, and to listen only to the cry for vengeance upon the perpetrators. No language was too extravagant or inconsiderate. The whole nation of the hated Turks was, by one speaker, to "be driven into the Black Sea;" by another, "the governing classes were to be expelled bag and baggage;" whilst a third, in high-flown language, is reported to have said—"Perish the interests of England, perish her dominion in India, rather than that she should strike one blow on behalf of Turkey!" Amongst these patriotic speakers there was one wise man, who sits on the opposite side of this House, who is reported to have said—

> "He was convinced that if the right hon. Gentleman the Member for Greenwich and the Liberal Party had been in power they would have done precisely what Lord Beaconsfield and the Tories had done."

On one point, and one point only, were the orators at these daily recurring meetings agreed, which was to condemn the action of the Government without judge or jury.

> "There was nothing right they said,
> And nothing right they did."

But, Sir, I would calmly ask, what real instruction to guide us in this difficult matter have we got from all the hundred excited speeches delivered during the Recess? No distinct policy has been enunciated by the opponents of the Government beyond the old irresponsible dictation—"You should do this, and you should not do that." The "bag-and-baggage" policy coming from the lips of a wise and experienced statesman may satisfy hon. Gentlemen opposite, but will not pass muster in this House. Happily, Mr. Speaker, this wild excitement, these erratic speeches have abated. The storm has become a calm. Much that has been written, as well as spoken from feeling rather than from facts, will be regretted, and we meet to-day, I trust, in a wiser and a calmer mood, putting aside animosity and Party strife, to discuss with the dignity and impartial judgment which becomes the House of Commons the momentous question of the day.

Never was the opening paragraph of Her Majesty's Speech more thoroughly concurred in by both Houses of Parliament—by the nation at large, and by none more than by Her Majesty's Ministers—who, after six months of ceaseless responsibility, and without the sympathy which they might fairly have expected, will now meet Parliament in free debate and be able to lay before the country a full report of all the facts and circumstances that have transpired during the difficult negotiations carried on with the Porte and the great European Powers. Having nothing to conceal, nothing for which to apologize, they will appeal with confidence to the justice of Parliament and of the nation for a dispassionate verdict. The objects looked for by the nation in this troublesome complication were three-fold—(1.) The observance of our Treaty engagements; (2.) Protection for the Christian population of Turkey; (3.) That England should not be involved in war. Two of these great objects have been achieved. England has kept her Treaty engagements; and never for an instant, I feel perfectly sure, have Her Majesty's Ministers contemplated under any circumstances, a repetition of the Crimean blunder, in going to war to uphold Turkey. Not only so, but England has taken an honourable part in maintaining the peace of Europe. Invited by Servia to offer her good offices with the Porte to secure an armistice, she did not hesitate to comply with the request; but feeling the power and value of the united action of the great Powers of Europe in this important matter, she undertook the responsibility of seeking to bring the six Powers to a Conference; and she succeeded. Through the means of that Conference an armistice was arranged, whereby war, then imminent, was prevented, and the peace of Europe maintained. The further good offices of the Conference were then directed to the object of devising such measures of interference between the Sultan and his disaffected, "maltreated" subjects, as might restore internal peace to Turkey, and prevent the peace of Europe being disturbed. Everyone must regret that Turkey was so ill advised as to reject the minimum form to which the conditions to be imposed were reduced. Yet it cannot be said that the Conference has altogether failed. By the 8th clause of the Treaty of Paris, the Contracting Powers have a right to "mediate." But by the 9th clause the Powers have not—

> "the right to interfere, either collectively or separately, in the relation of His Majesty the Sultan with his subjects, nor in the internal administration of his Empire."

By rejecting the terms proposed Turkey has placed herself in antagonism with the united voice of Europe, and must take upon herself the responsibility of her own act. Matters have thus come to a dead-lock. Turkey says distinctly I won't concur. Let me ask how many hon. Members there are in this House who would go to war to "compel" her? And yet we are taunted with the remark that the Conference has been a failure, and that Turkey has triumphed. Was it a "failure" in our noble and distinguished Envoy visiting the different Courts of Europe to ascertain personally the sentiments of each, that he might bring an intelligent judgment to bear upon the difficult mission he had taken in hand? Was it a "failure" in his bringing down the high pretensions and warlike threats of Russia to a parity with the views of the other Powers? Was it a "failure" in Lord Salisbury bringing the six conflicting Powers into perfect harmony in their discussions, and in their final judgment as to the conditions to be offered to Turkey? Or was our noble Envoy to blame for the blind folly which induced Turkey to refuse conditions which, mainly through his instrumentality, had been reduced to a minimum? This country—I might say, Europe—is deeply indebted to the noble Marquess for the high diplomatic talent which he has displayed throughout the whole of these difficult negotiations—for the firmness and judgment with which he carried out the decisions of the Home Cabinet at the Conferences, and with the Sultan—and for his just interpretation of the mind of England. The pressure put upon Turkey by the united voice of Europe and the plain truths spoken to the Sultan will yet bear their fruit. And if that concert of the Powers can be prolonged in harmonious action, instead of being a "failure," it will be the surest and, I believe, the only means of bringing about a regenerated Turkey.

Sir, it is no small satisfaction to be assured by Her gracious Majesty, after the warlike threatenings of the past six months "that her relations with our allies, and with other foreign Powers, continue to be of a friendly character." England in her civilization has happily got past the barbaric age of war, and her mission throughout the world is one of peace.

Every loyal subject of Her Majesty the Queen will rejoice with Her Majesty in the complete success which attended the Proclamation of Her gracious Majesty at Delhi as Empress of India. Nothing could be more noble, more loyal, more enthusiastic, than the language made use of by the great Chiefs, and the hearty, I might say, affectionate, congratulations which they returned to their Sovereign the Empress. India will now enjoy an Imperial Rule, under which we trust her different nationalities will be brought into a lasting bond of unity, and enjoy the triumphs of peace. It is with feelings of deep sorrow that we have read of the double calamity with which India has been visited. The Famine alluded to in Her Majesty's Speech, and the fearful cyclone wave by which upwards of a quarter of million souls were swept away.

A very large proportion of Her Majesty's Speech is naturally absorbed by the Eastern Question; but one is glad to see that other subjects are not omitted. Our Colonies can never be passed over in silence. They are the true outlet for our surplus population which every year becomes larger—our second selves, in fact, and if treated as parts of the Empire and not as mere dependencies they will become more and more the basis of England's great future—a future which the ken of the wisest cannot even guess at.

We now come to the clause in Her Majesty's Speech which brings back our attention to the things of every-day life—The estimates of our national expenditure as compared with our annual income; and we cannot congratulate the Chancellor of the Exchequer upon the state of his finances or upon the flourishing condition of the trade of the country. His lot has unhappily fallen in "the winter of our discontent." Everyone is grumbling at his own losses, and no one can see clearly when "the good times will come again." But that they will come, ere long, is just as certain as that the light of day follows the darkness of night. Prosperity and adversity move in cycles; and the one is simply the reflex of the other, and has nothing to do with politics. What may be termed the "balance of trade" is when the supply and demand are fairly equal to each other. But by varying seasons and a number of other causes, this balance is constantly being disturbed, and hence the ups and downs to which the industries of nations are exposed. Prosperity begets over-trading and high prices; high prices check consumption, and depression follows. But there is always this point in favour of increased trade—the number of consumers is daily on the increase, and the area of consumption is constantly extending. Therefore let not the right hon. Gentleman despair. He has the best wishes of the entire nation that he may get through his Budget without adding to our miseries by asking for another penny income tax.

Amongst the list of Bills to be introduced during the coming Session are the Prisons Bill of last Session, and one for the amendment of the Law of Bankruptcy. I shall be glad to find some modification affecting the appointment of the officers of prisons. In other respects the Bill of the last Session was a good one, aiming at uniformity of discipline, better classification of prisoners, and reduction of local rates by reducing the number of prisons, all of which are very desirable objects. I imagine the proposed Bankruptcy Bill will be something akin to the one introduced into the House of Lords last Session by the Lord Chancellor, and should such be the case, it will be deserving of support. I have myself known several fundamental changes in the Law of Bankruptcy completely diverse in their action. First, placing the control in the hands of the creditors, then in the power and management of a Court with paid officials, and in 1869 again in the hands of creditors. The Bill of 1869 is still in force, but by it there is no compulsory audit of accounts, the management of the bankrupt estate usually falls into the hands of one or two interested creditors, not always too scrupulous in administering the assets. By the statistical Returns quoted by the Lord Chancellor, there appears to be some 20,000 estates at present unclosed and during a period of seven years, a sum of £42,000,000 has been collected and disposed of without an audit, a state of matters which calls for reform.

Not knowing the nature of the proposed Judicature, Ireland, Bill, I can offer no opinion upon its merits, but imagine it is to complete the law reforms in Ireland, which have been going on there as well as in England for some time past. Anyhow I will pledge myself that justice to Ireland will not be overlooked.

Sir, I have now, in a very imperfect manner, completed the task so generously entrusted to me, and I thank the House for the courtesy with which it has listened to my address.

Motion made, and Question proposed, "That, &c." [See p. 65.]

The Marquess of HARTINGTON: Sir, I shall make no excuse to the House for passing over without observation—or with very few observations indeed—the larger number of the numerous subjects to which our attention is called in the gracious speech of Her Majesty. On rare occasions it may happen that interesting and unexpected announcements are made in the Speech; on other occasions it may sometimes occur that the turn of a certain phrase or the manner in which a certain announcement is made is eagerly and anxiously canvassed by the House; but in general it has been the practice to avoid in the Speech from the Throne anything in the nature of startling expressions, and to avoid anything in the nature of expressions likely to lead to excited discussion. On this occasion, although I admit that many subjects to which reference is made are of the highest importance, they are not, with one exception, subjects likely to lead to animated discussion in this House; and as to the projects of the Government on subjects of legislation, it must, at all events, be admitted that they are not of an ambitious character. I think I may say that in the Speech from the Throne, to which we have just listened, Her Majesty's Government have attained successfully to a level—I will not say of dulness, because that would not be respectful, but of repose and reserve to which I do not think any of their predecessors have attained. If this be an accurate view of the case, all the more difficult was the task that had to be discharged by the Mover and Seconder of the Address; and although I must admit that the noble Lord who moved and the hon. Gentleman who seconded it went somewhat beyond, in one part of their addresses, what was usual on these occasions, by making observations of a somewhat Party character, yet that does not prevent me acknowledging, as I am perfectly willing to do, the ability with which they have treated the Speech as a whole, and the interest with which they have succeeded in investing some of its details.

There are one or two expressions in the Speech to which I wish, in a very few words, to call the attention of the House. The Speech at the conclusion of last Session referred to one important subject that had, to a certain extent, engaged the attention of the House. One paragraph in the Speech was as follows:—

> "A difference has arisen between My Government and that of the United States, as to the proper construction of that Article of the Treaty of 9th August 1842, which relates to the mutual surrender of persons accused of certain offences. The inconveniences to both countries which would follow on a cessation of the practice of extradition are great and obvious, and I entertain the hope that a new arrangement may soon be arrived at, by which this matter may be placed on a satisfactory footing."

To that important question no reference is made in the Speech which we are now considering. We have been told, certainly, that a satisfactory arrangement has been come to; but, if I am not misinformed, that satisfactory arrangement has been come to upon bases which were held by Her Majesty's Government in the course of last Session to be totally inadmissible, and I think that, although the subject does not find a place in the Speech, the House will, perhaps, expect some explanation in reference to it from the right hon. Gentleman opposite.

There is another subject which, perhaps, could not properly find a place in the Queen's Speech at the opening of the Session, but which was mentioned in the Speech at the opening of last Session, and attracted a great deal of attention. Attention was then called to the state of the law and practice with reference to the surrender of fugitive slaves, and a Royal Commission was promised to inquire into the question. That Commission was appointed, and it reported before the close of the Session; but neither in the Speech which closed the labours of last Session, nor in the Speech to which we have just listened, do I find any reference to that subject, which occupied so important a part of the Speech at the opening of last Session. In the course of the Session—I believe on the last day of the Session—a new Slave Circular was issued, and it is some satisfaction to us who sit on this side of the House to remember that a Motion was brought forward and supported largely on this side of the House by my hon. Friend the Member for Bedford (Mr. Whitbread.) The Circular was issued on the 10th of August, and it distinctly and completely repealed and rescinded the two Circulars that had preceded it, and that Circular, which appeared on the 10th of August, and which was finally adopted by Her Majesty's Government, approached, in its terms, at least as closely, if not more closely, to the terms of the Motion of my hon. Friend as to the Report of the Royal Commission appointed by Her Majesty's Government.

There is one other omission from the Speech which I can hardly help thinking is accidental, but which appears to me remarkable. The House will remember that the subject of the amendment of the laws relating to Merchant Shipping was only partially dealt with last Session. Equal importance was attached by Her Majesty's Government to the Merchant Shipping Bill and to the Maritime Contracts Bill. The Merchant Shipping Bill passed, but the Maritime Contracts Bill was postponed until this Session, and it is rather surprising that neither in the Speech from the Throne nor in the speeches of the noble Mover and Seconder of the Address is there any reference to the latter measure, or any expression that would lead us to suppose that it is the intention of Her Majesty's Government to legislate further upon the subject. We are told that it is the intention of Her Majesty's Government to re-introduce the Prisons Bill. I am not concerned to deny that that Bill, if carried, would, as has been stated by the hon. Member who seconded the Address, effect a considerable and beneficial improvement in our prison system ; but, then, we are also told that it will greatly relieve the local burdens. Now, I think that if we knew all, we should be of opinion that Her Majesty's Government do not altogether regret the circumstances which made it impossible for them to pass that measure last year. If I recollect rightly, it was so framed that the relief of the local burdens, which would have entailed a corresponding increase of the Imperial burdens, would not have been effected until the present year; and if the anticipation of the hon. Member who seconded the Address should be fulfilled, I do not think that it will be an inconvenient circumstance to Her Majesty's Government that this additional burden will not fall upon the Imperial Exchequer during the present year, although they were not able to carry into effect their benevolent intentions of relieving the local taxation last year. I cannot help thinking that it is rather a dangerous and rather an inconvenient practice to hold out in a Queen's Speech a prospect of relief of local burdens, but which is nothing more or less than a transfer of taxation from one source of income to another. I cannot help thinking it is somewhat dangerous and inconvenient that these should not be made to fall on the finances of the year in which they are passed, but that they should be postponed to a future and indefinite period. By the absence of any mention in Her Majesty's Speech of the relief of other local burdens, I presume that we may now finally give up all hope of Her Majesty's Government introducing any comprehensive scheme upon the subject of local taxation. They have dealt with the subject of local taxation in every Session since they have been in office. I will not deny that some relief of local burden, as it has been called, has been given; but, as I have said, that relief has been entirely given by means of the transference of the local burdens from local funds to the Consolidated Fund. No attempt whatever has been made by them to deal, as a whole, with what has been over and over again admitted to be the pressing question of the simplification and reform of the complicated system of our local government. If they have made any attempt to deal with portions of the subject, it certainly has been in the direction, not of reform, but of centralization, by taking away from the local authorities power which they previously possessed, and throwing additional duties upon the already overworked Government Department, instead of giving additional powers to the local bodies, and so making them more capable of fulfilling their proper functions. Therefore it is that I feel myself justified in saying that no attempt has yet been made by Her Majesty's Government to grapple with this subject.

I will now, with the permission of the House, come to that part of Her Majesty's Speech which naturally and properly occupied the most prominent and larger portion of it. I should be justified, if I thought it would be expedient, in entering into considerable detail in the discussion of the negotiations and events which have taken place in the East since Parliament rose last Autumn; but such an examination would probably lead to considerable discussion, which, in the absence of the Papers which have been promised us, could not be conducted under very favourable circumstances in a debate upon the Address. Such a discussion would probably bring to light very considerable and very strongly-marked differences of opinion, and might raise a distinct issue which ought to be placed, and which may yet be placed, before the House at the proper time, but for the raising of which this is not the most convenient opportunity. But the anxiety and excitement which has prevailed in the public mind during the last few months, which is even still felt, with regard to the intentions and the position of Her Majesty's Government, leads me to suppose that the Government will not be unwilling to take this, the earliest opportunity in their power, to offer certain explanations upon several points relating to their policy. I think, therefore, that I shall not be misrepresenting the feeling of the House if, avoiding as far as I am able any detailed discussion of the events to which I am referring, I indicate some of the points on which I think explanation is most urgently desired by this House and most ardently wished for by the country. It may, perhaps, not be amiss if I try to state in a very few words what is my view of the position in which we stood, in which the country stood, and in which Her Majesty's Government stood in relation to the country and its affairs at the close of last Session. At that time the country had for some months perceived as clearly, if not more clearly, than Her Majesty's Government, that what is called "The Eastern Question" had been re-opened in its full extent. It had perceived that one of those convulsions had again occurred in Turkey which had before menaced the existence and the permanence of the Ottoman Empire. It perceived that the question was not confined to the disturbances which were actually occurring in some of the provinces of Turkey; but that it extended over a much larger and wider area—that the sympathies of one Power, at all events, and the divided sympathies of another Power, made it quite impossible that those Powers could remain passive spectators of what was going on. It perceived, also, that the changes which were taking place in Europe since the settlement of 1856 had exercised, and must exercise, great influence over the question, and that the combination of those Powers which had brought about the settlement of 1856 could no longer be relied upon, and that other forces had sprung up in Europe, which forces must be taken into account and consideration. What, in these circumstances, was the guidance given to the country by Her Majesty's Government, and what was their policy at the close of last Session, which the country on the whole was prepared to accept? I say on the whole prepared to accept with some amount of doubt and some hesitation. Up to the close of last Session the policy of Her Majesty's Government was that of non-intervention; and if it be not a paradox, I would remark that, as explained to us by the Government themselves, it was a policy not of mere passive, but of active non-intervention. The Prime Minister, in the course of debate in this House, stated that, whereas England had at one time stood in a position of isolation in her policy, that no longer was the case, because at that moment she stood in accord with the rest of Europe in the policy of non-intervention. Lord Derby, in his despatch which was sent on the outbreak of the Servian war, stated that it was undoubtedly the intention of Her Majesty's Government to observe a policy of non-intervention; that they expected that the other Powers would do the same; but that he could not undertake that, in the event of other countries departing from that policy of non-intervention, that policy could be maintained by England. At the close of last Session the policy of Her Majesty's Government was to "keep the ring" and to watch the course of events; not to interfere themselves, and to prevent, as far as they could, anyone else from interfering. It is true that is a somewhat different account of the policy of Her Maiesty's Government from what they themselves give of it, much to the surprise of statesmen and of the country. In September last the Prime Minister, speaking at Aylesbury, gave an account of the policy of the Government, which is not altogether consistent with the description which I have just given of it as a non-intervention policy. Lord Beaconsfield said—

> "My noble Friend Lord Derby, on whom the strain of the management of this great affair naturally chiefly falls, and who is described every day in the newspapers as a Minister who does nothing and suggests nothing, lost no time in laying down the principles upon which he thought the tranquillity of the East of Europe might be secured—that is to say, he laid down the principles upon which he thought that the relations between the Porte and its Christian subjects ought to be established. I must tell you this—that I think in the late spring of this year peace, and peace on principles which would have been approved by every wise and good man, might have been accomplished. What happened? That happened which was not expected. Servia declared war upon Turkey—that is to say, the secret societies of Europe declared war upon Turkey. These communications

> were occurring constantly, I may say, between Her Majesty's Government and the five other Powers. . . . From the moment that we declined, and gave our reason why we declined, entering into the Berlin Memorandum, there were, on the whole, I should say on the part of every one of the Great Powers cordial attempts to act with us in every way which would bring about a satisfactory termination, but by no Power have we been met so cordially as by Russia."

That is a description of a different kind of policy from that which we understood had been the policy of Her Majesty's Government, but to this day no explanation had been offered, and no proof had been offered of this statement by the Prime Minister. In fact, the more the Blue Book is searched the less we find that Lord Derby had any proposals to make to the other Powers. He said on every occasion that he did not think the time had arrived for making any further suggestions in the matter. What did the Prime Minister himself say in the House of Commons? That the most desirable thing to do was to maintain the *status quo* in Turkey, in order to allow Turkey and her subjects in the course of time to find the condition of things which suited them best. There was no hint of efforts being made, or principles being laid down upon which the tranquillity of the East of Europe might be secured. No mention is made of the principles upon which the relations of the Christian subjects with the Porte were to be established, except that the idea of the Prime Minister was that there should be no external interference, but by rebellion and the repression of rebellion they should discover the condition which suited them best. What did Lord Derby say, speaking in the same sense, on June 22nd? He told the Austrian Ambassador that Her Majesty's Government were ready to play their part in the work of pacification when it saw the chance of doing so with effect. But where are the principles which Lord Derby from day to day was laying down? What circumstances led them to alter that opinion? On June the 28th Lord Derby said that he thought it premature to say more than that Her Majesty's Government would gladly concur in any pacific plan for the amelioration of the local government of the Turkish Provinces, but it did not appear that he had arrived at any opinion of his own on which that could be effected. Well, if this can be described as a policy of active non-intervention, it was perfectly well known that the Government had means of carrying into effect that active policy. There was the Fleet at Besika Bay, and although that motive had been partially denied by Lord Derby, it had been partially admitted by the Prime Minister. It cannot be doubted that they had the means of keeping the ring or taking measures to prevent the intervention of any other country. It cannot be supposed that the idea of availing themselves of this force was ever absent from their minds, and I hope I have now given an accurate state of the case as it existed, and the guidance which the country were with a certain amount of doubt and hesitation prepared to accept. But Parliament had no sooner separated than grave cause of alarm arose. The principle of non-intervention which the Prime Minister had fondly hoped had been embraced by the whole of Europe had not been so embraced. It was very soon known that Russia was giving indirect assistance in the Servian war — assistance of which, undoubtedly the Porte, if it had come with clean hands to Europe, had a perfect right to complain; and it was seen that the condition upon which English non-intervention rested no longer existed, and the question was raised whether that condition no longer existing —English non-intervention was also about to come to an end—and whether we were going to intervene, and if so, upon what side. But at that time there also arrived authentic accounts of the manner of the suppression of the insurrection which had taken place in Bulgaria, and the eyes of the people were opened to the character of the Government to which our Government had certainly shown itself not unfriendly, and to the character of the Government for which they proposed to keep the ring in the contest between Turkey and its rebellious subjects. Well, Sir, it was said now that there never was any danger of our going to war to support the Government of Turkey; but it had not been said then; and there would have been nothing inconsistent in the declarations of the Government that had been made if the Government had then given active assistance to Turkey. The interests of England had been ostentatiously announced on all occasions as the guiding principle of our policy. The interests of England were presumably not affected by the character and manner of the suppression of the insurrection in the rebellious provinces of Turkey, and therefore there was no reason to suppose that the Government, in their defence of the interests of England, would be in any degree influenced by what had taken place, and what had deeply moved the public mind, in Bulgaria. Well, it was to prevent the possibility of England going to war, or giving material assistance in defence of the Turkish Empire, that the agitation of the autumn arose. If there were any exaggeration in that agitation; if there were unnecessary imputations made upon the Government; if there were any undue disposition to exaggerate unnecessarily the generosity of the Russian Government; if there were any unnecessary disposition to assume to ourselves the whole responsibility of putting everything right—for any such exaggeration the Government were mainly, if not altogether, responsible. The Government had declared that the accounts which had been received of the Bulgarian atrocities were untrue. The Government had unnecessarily made themselves the champions and defenders of the Turkish Government, and even in the height of the agitation the Prime Minister inflamed it to a far higher pitch. For in that speech at Aylesbury to which I have referred he denounced the leaders of the agitation; he denounced Servia; he denounced the secret societies; he denounced everybody and everything except the Turkish Government. The injustice and the futility of that denunciation of the Servian Government and the Servian people with reference to the Servian war were made strikingly manifest a short time afterwards. A very few months elapsed, and all Europe perceived that the Servian cause was not merely the cause of an ambitious petty State, that it was not merely the cause of secret societies in Europe, but that the cause of which the Servians had made themselves champions was the cause of the oppressed nationalities of Turkey, and that there could be no settlement of this question and no permanent peace until the grievances under which those oppressed nationalities laboured were removed. In fact, the cause of the Servian people had been taken up by Europe and made their own. I do not think that it is necessary that I should say more with reference to the great and remarkable agitation which undoubtedly sprang up in this country last autumn. If I wanted to say more—if there are those who still think that agitation a mischievous one—I will only remind them that those who are of that opinion are not the Gentlemen who sit upon that bench. The quotation I am about to make to you was made by a Member of the Government. I presume that there is no difference of opinion between them, and that hon. Gentleman opposite will not disown the language used at Derby in October by Lord Carnarvon. He said—

> "He certainly had no wish to complain of the public feeling which the tale of horror had elicited. He did not disagree, if he rightly understood it, with the public feeling and opinion because it had been somewhat loudly expressed, and that here and there might have been exaggeration in the language used. He rejoiced, on the contrary, to believe that the heart of his countrymen beat so soundly as it did when such a tale of horror was unfolded. He rejoiced that there was neither delay nor hesitation in the expression of that feeling; and so far from weakening the hands of the Government, he believed that, if rightly understood at home and abroad, nothing could more strengthen the hands of his noble Friend the Foreign Secretary than the burst of indignation which had gone through the length and breadth of the land. There had been horrors, no doubt, historically, which had been as great as these; but these recent horrors come home to us, having been enacted, so to speak, in the very glare and blaze of European civilization, in the very midst and in the very heart of Europe. They were horrors which turned men's blood to flame."

I have said that I think I should be justified if I entered into some detail on the history of the late negotiations; but I will avoid doing more than placing before the House, as shortly as I can, one or two of the more important and most salient points in those proceedings, not so much for the purpose of discussing the conduct of the Government as of eliciting from them an expression of their opinion. In September Her Majesty Government departed finally from the policy of non-intervention and committed itself to acts of distinct intervention. On the 21st of September Lord Derby wrote a despatch to the Turkish Government which was practically the answer of Her Majesty's Government to the demand which had been addressed to them in hundreds of meetings held throughout the country on the subject of the atrocities in Bulgaria. What was that answer? It was not an indignant denunciation of the Bulgarian revolutionary party—it was not an indignant denunciation of the secret societies by which the insurrection had been instigated—it was not a repetition of the doubts and hesitations and palliations of which we had heard so much here; but it was a despatch that has been described by one of Her Majesty's Ministers as such a despatch as was probably never before addressed by the Minister of one Power to the Minister of another friendly Power. It spoke in the strongest terms and in the plainest language of the crimes said to be committed by the servants of that Government; it denounced the perpetrators of those crimes by name; it required in the name of Her Majesty the punishment of those persons, and that reparation should be made to the unhappy sufferers. It is true that, as far as we know, the demands made in that despatch have never been complied with, and it is one of the subjects on which I think Her Majesty's Government will be the first to desire to give us information. What steps have been taken in compliance with the demands made in that despatch, or, if no result has followed from that despatch, what steps have Her Majesty's Government taken to enforce those demands? The Home Secretary, speaking at Manchester on October 26, put this point as clearly as I could wish. He said—"As to the question of humanity, no such despatch that I have ever heard of was addressed to a friendly Power as Lord Derby's. It was not a mere empty despatch for insertion in a Blue Book, but one which must be followed out." Well, we agree that it was a despatch "which must be followed out;" and what we want to know is, what steps have been taken by the Turkish Government or by Her Majesty's Government to "follow out" the demands it contained. On the same day Her Majesty's Government made their second departure from the principle of non-intervention. On the same day they made their offer of mediation, and that offer did not apply merely to the questions that were pending between Turkey and Servia and Montenegro, but their despatch included proposals relating to improved government and to reforms in the disturbed Provinces. In fact, as far as I am able to make out, Her Majesty's Government made, on the 21st of September, the identical proposal to the Porte which had been made by the Russian Ambassador to Lord Derby in June. On the 28th of June there is an account of a conversation between Lord Derby and Count Schouvaloff. It says they then passed to the third subject of discussion—namely, the granting of administrative autonomy or local self-government, in some form. Much discussion followed on this topic. That was on the 28th of June. The proposal had been made by Prince Gortchakoff considerably before, but on June 28 it was fully discussed personally between Lord Derby and Count Schouvaloff, and on the 30th Count Schouvaloff informed Lord Derby that he had heard from Prince Gortchakoff, explaining his meaning on it. He considered that autonomy did not mean sovereignty, but that the sovereignty of the Provinces should remain to the Sultan. Count Schouvaloff explained that Prince Gortchakoff desired simply administrative autonomy, and that if the Sultan yielded this point, the struggle would cease. I have not here with me the exact words of the proposal that was made on the 21st of September by Lord Derby; but I believe that substantially there was not the slightest difference between the proposal embodied in that despatch of September 21 and the proposal which had been made to Lord Derby by Count Schouvaloff in June. It will be for Her Majesty's Government to explain why that which was utterly inadmissible in June was proposed by them in September, and it will be for them to explain whether some part of the responsibility for the blood that was shed in the Servian war—which, in the opinion of Prince Gortchakoff, might have been averted by the agreement of our Government in those proposals—does not rest on the shoulders of Her Majesty's Ministers. I pass over the somewhat intricate negotiations which preceded the conclusion of the armistice. I pass over the adoption by Her Majesty's Government of the proposal of the Turkish Government for a six months' armistice, though that is a matter which it seems to me will on a future occasion require very considerable elucidation. But at this time a very important event occurred, which I refer to now, because I think it has some bearing on the present situation. At one stage, after Her Majesty's Government had adopted the Turkish proposal and the Russian Government had rejected the six months' armistice, our Government retired altogether from the negotiations. They said that they had no other proposal to make; that although they would not urge the Porte to reject the Russian counter proposal, they would not urge it to accept it. In fact, they left Turkey standing face to face with Russia; and I must say they were praised, and praised very loudly, by some of their supporters in the country and in the Press for the position, as it was called, of "magnificent isolation" which they had assumed, for it appeared to be thought that a triumph had been obtained when Turkey and Russia were left face to face. At that moment it depended only on the moderation of Russia or on the conciliatory spirit or the fears of Turkey that a war did not instantly break out between them. I refer to this, not for the purpose of criticizing their conduct of the negotiations, but because it may throw some light on their present position. Well, Sir, war was averted, but not by Her Majesty's Government, and the way was left clear for the assembling of the Conference. We have little information as to the negotiations preliminary to the Conference; but I think we may assume that some preparations were made by the Government for the meeting of the Conference. I do not think it can be supposed that Her Majesty's Government invited the Powers of Europe in so solemn a manner to assemble at Constantinople to discuss such momentous questions as were to come before them without making some provision as to those conditions on which alone the successful issue of that Conference could be expected. What, then, were those conditions? It seems to me that they were, either that Her Majesty's Government had ascertained that Turkey was willing to agree to certain concessions, certain reforms, and to give certain guarantees, which, although they might not be all that might be asked by the other Powers, were yet such as the other Powers might in Conference accept; or, on the other hand, if there were no reason to believe that Turkey was prepared to make such concessions or to give such guarantees, they had arrived at some understanding with the other Powers assembled at the Conference as to the ulterior measures to be taken. Well, we know nothing of the efforts which Her Majesty's Government may have made with these or with similar objects. We do know that Lord Salisbury visited Paris, Berlin, Vienna, and Rome before he went to Constantinople, and it may be that the object of those visits was to secure some such understanding among the Powers as I have just indicated. If it was, and if he failed in that attempt, then I admit that the Government will be more entitled to our sympathy than to our censure. But I think that the question arises whether it would not have been better, before assembling the Conference and inviting all the Powers of Europe to take part in that Conference, to arrive at some certain or definite understanding by which they could alone hope to bring its deliberations to a successful issue. There is one preparation for the Conference on the part of Her Majesty's Government to which I cannot refer without regret. Just previously to the assembling of the Conference the Prime Minister made a speech under circumstances in which, perhaps with the exception of speaking from his place in Parliament, an English Minister speaks under as heavy a responsibility as on any occasion. Lord Beaconsfield, addressing the citizens of the capital of England, assembled under the presidency of their chief magistrate, with representatives of much of the commerce, industry, and wealth of this country present, referred to the Treaties of 1856, I regret to say not referring to the obligations they enforced upon Turkey, but dealing solely with the obligations towards Turkey contracted by other Powers. In that speech he indulged in what I cannot help considering taunts towards Russia. I willingly admit that there were interspersed here and there expressions of great civility towards Russia and her Government; but I remembered that something was said about an ultimatum being an ugly word, when an ultimatum had just been presented by Russia to the Porte, and something also about an ultimatum being a proceeding like bringing an action when the debt had been paid into Court. But that was not all. From taunts Lord Beaconsfield proceeded to menaces. He informed the citizens of London that he trusted all those difficulties might be arranged without war; but he added that if there was to be war, England was not a Power which would have to consider whether that war would last no more than one campaign. Do hon. Gentlemen imagine that that was a prudent observation to make at the very moment that the Conference was about to open, the object of which was to avoid war? [" Hear, hear!"] If hon. Gentlemen think that to draw a contrast between this country which was able to support a number of campaigns and other countries which presumably were not able to support so many was a judicious proceeding, I despair of convincing them of the contrary by anything I can say. But at that very moment, injudicious as that speech was generally supposed to be, the country was not aware of the full amount of the imprudence it involved. Why, at that moment Lord Beaconsfield had received the strongest assurances from the Russian Emperor of his pacific intentions. I do not say that the Prime Minister is bound to place implicit reliance upon the assurances of any Sovereign or upon his power to carry into effect those assurances; but, at all events, one thing was proved, and that was, that the Emperor did desire to go into the Conference without hostile feelings and without jealousy of England, and that he did desire to the best of his ability to obviate hostility and jealousy on the part of England. Surely under these circumstances it was not necessary that the Prime Minister should, as a preparation for the Conference, make declarations that could only tend to revive the jealousy and re-embitter the relations between Russia and England. I shall not detain the House with the discussions which took place at the Conference. Although that Conference has, to a certain extent, been a failure, I think that Lord Salisbury deserves, and will receive, the thanks of the country. Although he has failed in his main object, Lord Salisbury has done much. He has restored, to a great extent, the good understanding between England and Russia. Lord Salisbury has evidently done everything which he was empowered to do to bring the Conference to a successful issue; and we on this side of the House, and I believe the country generally, are grateful to him for the light he has thrown on our relations with Turkey under the Treaties of 1856. I do not wish to disparage those Treaties. I believe they have been, and may yet be, productive of great good. But there were those amongst us who were disposed not to regard those Treaties as instruments by which good might be effected or evil averted, but rather as a chain binding us and taking from us all power of our own—as instruments binding us by every honourable obligation, perpetually and for ever, to be the defenders and champions of a decaying Empire; and Lord Salisbury at the Conference, if he has been correctly reported, has told Turkey in plain language, and the world, in the name of his Government, and in the name, I believe, of the whole country, what is his view of our relations under the Treaties of 1856, and if it were for nothing more than this, I should say we had reason to be grateful to Lord Salisbury. I entirely concur in the paragraph of Her Majesty's Speech in which it is stated that the result of the Conference has been to show the existence of a general agreement among the European Powers. But the anticipation which follows, that that agreement cannot fail to have a material effect upon the condition and Government of Turkey, depends for its realization, to a very great extent, upon the present proceedings and the present posture of Her Majesty's Government. The expressions in the Speech announcing the failure of the Conference are the least strong terms in which that could be announced; and I should like to ask whether it is true, as has been generally supposed, that Her Majesty's Ambassador, together with the Ambassadors of the other Powers, has been ordered to leave Constantinople as a mark of the displeasure of the Government at the conduct of the Porte, for if that important diplomatic step has been taken, it seems to me somewhat remarkable that the Queen's Speech, entering as it does into so many details, has made no mention of it? In dealing with these one or two points, I have spoken, not with the view of examining the title of Her Majesty's Government to our confidence, interesting as no doubt that is, but because their conduct in negotiations in the past give us the only indications which are at present available of what is their position at present, and what are their intentions in the future. England has made, through her Representative, certain strong representations as to the existence of the Ottoman Empire depending on the acceptance of certain proposals to which Her Majesty's Government have made us a party. Well, those proposals have been rejected. What is to follow? Is anything to follow? If we look to the fate of the despatch of September 21, and, for many months at least, the calm acquiescence of the Government in the neglect with which their demands have been treated, there is, I think, reason to apprehend that Her Majesty's Government are inclined to lend a willing ear to the counsels of those who tell them that with the failure of the Conference, with the refusal of the Turkish Government to accept our terms, with the consciousness of having offered good advice, and with the protest which we have made, our responsibilities are at an end. A few days ago we might have been told that the Conference, after all, had not been barren of results, and that the promulgation of the Turkish Constitution afforded us some guarantee, although not of the kind we desired, for good government in the future. But the news which has arrived within the last day or two must have been enough to shake the faith of the strongest believer in Turkey. I cannot think it a very good augury for the success and stability of the Constitution that within a very few weeks of its promulgation its author should find himself an exile. Well, Sir, if it be the case that some are ready to advise Her Majesty's Government that their responsibilities are discharged by what they recommended and what they failed to obtain at the Conference, I would ask what becomes of the declarations of policy that have been made by Her Majesty's Ministers? The right hon. Gentleman the Chancellor of the Exchequer and the Secretary of State for the Home Department have undertaken before the country not to ask merely for guarantees from Turkey, but to obtain those guarantees. The Chancellor of the Exchequer, speaking at Edinburgh on the 18th of September, said—

> "We have long known it was our duty; we accept the duty; we accept it as freely as any of those who challenged us could wish, to fulfil the moral obligation into which this country entered by the Treaty of 1856, at the close of the Crimean War, to use its efforts to protect the Christians of the Turkish Provinces from misgovernment. We know now from the terrible emphasis with which these words have been spoken from Bulgaria what the misgovernment of Turkey means, and be assured that the revelations which have been made have in no degree weakened the sense of duty with which we have been impressed. We know it is a question which must be dealt with firmly and vigorously."

And the Secretary of State for the Home Department, speaking, I think, still more strongly, said—

> "The Great Powers have a right to examine for themselves what provision would be sufficient to secure the good administration of those Provinces, and to see that adequate provision is made that all these measures shall be carried into effect. With all due respect to Turkey, I would say that of course the time has come when all what I may call the 'waste paper currency' of the Turkish promises shall be paid in sterling coin."

Well, I do not think the right hon. Gentleman will tell us that when they made these declarations they were merely speaking of proposals to be made and to be carried out or not as Turkey thought fit. I think that when the right hon. Gentlemen made use of these expressions they undertook not merely to ask for reforms, but to obtain reforms and guarantees. Sir, if it be that the responsibility of the Government is discharged by that which has taken place, what, I ask, becomes of the policy of the Government? We have been told that to secure the interests of England is the main object of the policy of this country. We have been told over and over again that the main interest of England is the maintenance of peace, and no doubt we shall be told that peace has been preserved. But, I ask, what sort of peace is it? In the last extract with which I shall trouble the House the right hon. Gentleman the Chancellor of the Exchequer will give the answer. Speaking at Bristol on November 13, he said—

> "I believe it to be impossible really to secure the peace of Europe unless we take steps also for the improved administration of the Provinces of Turkey. As long as you leave that sore open, as long as you do nothing to heal what is at the bottom of the cause of these disturbances, any peace you may promote for the moment will be but a hollow peace, and be but as a patchwork —a piece of sticking-plaister put over a wound when there is festering matter still left below."

If, then, the responsibility of the Government is discharged by the failure of the Conference, where, I ask, is the peace which they have pledged themselves to attain? Where is the peace which the supporters of the Government seem to think they have succeeded in obtaining? If we look back to that phase of the question when England retired from the Berlin negotiations and left Turkey and Russia face to face, it may not be unreasonable to suppose that the Government regard with calmness, if not with satisfaction, the prospect of reverting now to a similar position. Sir, can anything be more contrary to the interests of England than that Turkey and Russia should be left face to face? Can anything be more contrary to the interests of England than that Russia should be permitted, if not compelled, to take upon herself the duty which ought to rest on the whole of the Powers that took part in the Conference? The position of Russia has been immensely strengthened by what took place at the Conference, It would be difficult, I think, for any Power which was represented at that Conference to say whether Russia was not within her right when she proposed, in the event of the absence of co-operation from the other Powers, to act independently. I do not suppose anybody is deluded by the rumours that are circulated—whether with design or not—as to the weakness of Russia. I do not suppose anyone is deluded by the moderation shown by Russia at the Conference — a moderation for which there were very sufficient diplomatic reasons. I do not suppose anyone believes that that moderation was the result of military weakness. Perhaps we are trusting to the attitude of Germany and Austria. Perhaps we suppose that Russia, knowing she has no material advantage to gain by war, will shrink from war. But, Sir, Germany and Austria have no interest in Asia or the Asiatic Provinces of Turkey. England, on the other hand, has a great interest in those Provinces, through which, perhaps, some day will be the most direct route to India. Yet there are some among us—I trust that the Government do not belong to the number—who look with calmness, if not with satisfaction, on the prospect of leaving Turkey and Russia face to face, and on the possibility of war springing up between those two countries. Sir, I ask whether the danger of that position, as regards English interests, has diminished; whether it has not rather increased, since the time when Mr. Canning, rather than encounter the perils of such a situation—rather than allow Russia to take upon herself singly the task of enforcing the proposals which had been agreed upon between England and Russia as to the affairs of Greece—was willing even to go the length of proposing to co-operate with Russia for the purpose of attaining the end in view. I am unwilling to believe that the resources of diplomacy are exhausted by the failure of the Conference, and that the efforts of Europe for the maintenance of peace and the obtaining of securities from Turkey are exhausted by the refusal of Turkey. Of this, at all events, I am sure—that the Government will take upon themselves a heavy responsibility if they do not strive to do everything in their power, not to dissolve, but rather to strengthen and prolong the concert among the Powers, for the accomplishment of those beneficent ends which the Conference laboured, but, unfortunately, laboured in vain, to attain.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I mean to follow the example of the noble Lord who has just sat down (the Marquess of Hartington) by speaking very briefly indeed upon any other subject but that on which he has last addressed the House. But before I advert to his observations on that matter I must, in the first place, acknowledge the services of my noble Friend the Mover (Viscount Galway) and my hon. Friend the Seconder of the Address (Mr. Torr), and I will take the opportunity, if my noble Friend will allow me, of assuring him that there must have been many in this House who sympathized entirely with the graceful expressions with which his speech closed, and that we rejoice to see that a name so long honourably known in this House is borne by one who seems worthy of it. The noble Lord opposite (the Marquess of Hartington) began by complimenting us on having advised Her Majesty to address to Parliament a speech of an unambitious character, and by congratulating the House on the repose which seemed to await it. I trust this prognostication may be agreeably fulfilled in the course of the Session, but I am not so sure that we shall have such entire repose as we may desire. My own impression is that we shall have a lively Session on more points than one, and that we shall meet with more opponents than we at first anticipated. The noble Lord has taunted us with the omission from Her Majesty's Speech of certain subjects which he mentioned. I do not think it is necessary for me to discuss those questions of omission. With regard to the question of the Fugitive Slave Circular, to which the noble Lord also referred, that is a matter as to which it did not seem to me that the House would expect that it should be brought under their notice in the Queen's Speech. It is, however, a subject on which many questions may be asked, and as to which questions I may say that those who ask them shall receive sufficient answers. Then, again, with respect to the Extradition question, to which reference was also made, at the present moment the matter is in a phase of a temporary character; a temporary arrangement has been made, and negotiations are going on which we hope may lead to a satisfactory result. The noble Lord also referred to the Maritime Contracts Bill. Well, it is not the intention of Her Majesty's Government to drop that measure. It stood upon the Paper for a considerable time last Session, and towards the close of the Session I gave Notice of a Motion to refer it to a Select Committee; but as it was found impossible, from circumstances that occurred, to get the Bill through the second reading stage we were obliged to let it stand over till this year. It is, however, our intention to re-introduce it, and I hope, after it has been read a second time, to ask the House to send it to a Select Committee. I will not refer now to the question of Local Taxation, as to which the noble Lord asked one or two questions; but I think I may ask the House to wait until Monday evening next, when I hope my right hon. Friend the President of the Local Government Board will introduce one of the measures of which he has given Notice, and make a statement which will show how far we have advanced and what progress we have made in that matter. These were, I think, the only topics to which the noble Lord adverted, with the exception of the great question of our Foreign policy, and I think, Sir, I shall be entirely conforming to the desire of the House if I now say a few words on that subject. But I am bound to say that the line which the noble Lord has taken—although I have no right to complain of him for doing so—places me in a somewhat embarrassing position, inasmuch as I can neither enter fully into the question, nor decline to reply to his observations upon it. The noble Lord began by intimating—and I think with very considerable justice—that the present was not the occasion on which it was desirable that we should enter into a controversy as to the policy Her Majesty's Government have pursued in regard to the negotiations that have taken place, the Papers not being yet in the hands of hon. Members. I can assure the House that every exertion has been made to get those Papers in a state in which they could be laid before the House, and I believe that to-morrow morning hon. Members will receive the whole of the Papers down to the close of the Conference and the return of my noble Friend the Marquess of Salisbury and Sir Henry Elliot from Constantinople. When those Papers, which are rather voluminous, are in the hands of the House, the noble Lord and his Friends will have an opportunity of quietly considering those matters on which he feels, and has expressed himself as being in some difficulty. He will be able, and other hon. Members will be able, to see and judge for themselves what our course of proceedings during the autumn and winter have been, and we shall then have an opportunity—and, if they desire it, the opportunity will certainly be given—of discussing with the Papers in our hands, all points as to which discussion is considered desirable. But I thought that when the noble Lord had laid down the principle that it was not desirable to go into controversial matters now, he would have acted and spoken in accordance with the spirit of that observation. The noble Lord has, however, in more than one part of his speech, indulged in severe criticisms and comments, which it is almost equally difficult for me to answer or to pass by. If I answer them I necessarily enter into a controversy as to very difficult matters of an inconvenient character; for if I enter into it with the Papers in my own hands, I am able to refer to matters some parts of which the House is necessarily ignorant of. If I enter into the controversy, and defend the action of the Government on certain points on which the noble Lord has thought it right—and I admit he has the right—to challenge our conduct, it may be necessary for me to enter into somewhat lengthened and controversial discussions as to the conduct of other Powers, whose action in these matters is not to be entirely taken for granted, and whose action is by no means unimportant with reference to some of the questions raised. Before I came down to the House I had laid down for myself, as a guide in the observations I would address to the House, a principle similar to that announced by the noble Lord—that I would abstain as far as I possibly could from touching on anything irritating or controversial. If, however, we are challenged or brought to a controversy, we shall be able to meet the noble Lord, or anybody else who ventures to challenge us; and if the attacks which are likely to be made upon us are such as have been foreshadowed by the observations of the noble Lord, I entertain very little doubt indeed as to the result. It seems to me that throughout the whole of his remarks the noble Lord has himself been misled, and consequently has been constantly misrepresenting our conduct in the various stages of these transactions, not of course intentionally, but from a want of understanding it. He is the last man I would accuse of wilfully doing such a thing; but over and over again in the course of his observations the noble Lord made charges which, if he had had the Papers in his hands and had given them the study which I am sure with his candid mind he would have given them, he would not have made; and I do think it is a disadvantage, not only in reference to the interest of one Party or another, but to that of the country, that, in a matter of this importance, we should have a merely partial, one-sided, and imperfect discussion. The noble Lord does not overrate, nobody can, the importance of the present position of affairs, and the very great importance of weighing every word we use at the present time, and of considering well every step we take; and I do think that it is hard that we should have been subjected, as we have been for a considerable time, to representations which have gone abroad, and have been accepted abroad by persons who naturally take the authority on which they were made as high authority, and yet which have been such as to give an entirely false and erroneous view of the policy we have adopted—the policy not only of the Government, but of the country. We think that an actual knowledge of the facts detailed in these Papers will prove the wisdom and rectitude of our conduct, and entirely remove that erroneous impression. The noble Lord has been very profuse in his quotations from speeches which were made during the Recess by Members of Her Majesty's Government. I can assure the noble Lord that we feel the compliment which has been paid to us, and for my own part I am greatly obliged to him for having read sentences pronounced by myself on one or two occasions which I should have thought would not have attracted so much attention, but every one of which I am prepared to say I entirely and wholly adhere to. Among others, the noble Lord read an extract from a speech—and a very excellent one it was—made by my noble Friend the Earl of Carnarvon, in which my noble Friend said, in reference to speeches made at those indignation meetings to which the noble Lord referred, "he believed that, if rightly understood at home and abroad, nothing could more strengthen the hands of his noble Friend the Foreign Secretary." Well, but in the words "if rightly understood at home and abroad" lies the importance of a great many of the speeches made and of the acts done during the Recess; and what I complain of on the part of the Government is, that on more than one occasion misunderstanding has been caused by speeches and writings which have not been rightly understood. The noble Lord has referred to certain speeches made by my noble Friend the Prime Minister, and said that those speeches have done a great deal of harm. If harm was done by those speeches, it was not by the speeches themselves, but by the construction which was put upon them, and, as I maintain, very erroneously put upon them, by those who misunderstood them. There has been an industrious attempt made for a considerable time past—for what reason I cannot undertake to say—to represent the Government of this country as having a desire to carry the country into a war on behalf of Turkey, and as being desirous of encouraging her in her policy. Now, I assert, without fear of contradiction, that there has been nothing in any action of the Government, or in any words written or spoken by the Government to justify such a representation. On the contrary, from a very early period of those transactions—from a period antecedent even to the question raised by the Bulgarian atrocities—the language used by my noble Friend (the Earl of Derby) in his despatches, as the organ of the Government speaking for the country, and by other Members of the Government, has always been to the effect that England would not undertake that course of proceeding. I can find, I think, a sentence of my noble Friend's, at a very early date indeed, at the very time of the rejection of the Berlin Memorandum, bearing out this view of the case. It is in the Papers presented last Session. As far back, I think, as the 19th of May last, Her Majesty's Government, explaining to Sir Henry Elliot for the information of the Porte what course had been taken with regard to the Berlin Memorandum, and the reasons why they had thought it undesirable to concur in it, go on to say that they do not desire to counsel the Porte to resist any advice or proposal which the Porte may consider advantageous, and that they cannot conceal from themselves that the gravity of the situation has arisen in a great measure from the weakness and apathy of the Porte in dealing with the insurrection in the first stage—[Mr. W. E. FORSTER: Hear, hear!]—and in the want of confidence in the Turkish powers of government shown by the state into which the finances had been allowed to fall—

> "The responsibility must rest with the Sultan and his Government, and all that can be done by the Government of Her Majesty is to give such counsel as circumstances may require. They cannot control the events to which the neglect of the principles of good government may expose the Porte."

I thought I caught a laugh from the right hon. Gentleman the Member for Bradford when I read some words as to the want of proper energy on the part of the Government in dealing with the insurrection in the first instance. Do I understand the right hon. Gentleman to suppose that the only meaning of the phrase I have quoted was that, in our opinion, the Porte should have used more physical force in subduing the insurrection? If that is what he thinks he is entirely under an erroneous impression, because the language always used by Her Majesty's Government, even in the earliest stages of the insurrection, was to the effect that the Porte ought to take every means in its power to satisfy the wants of the insurgents; that they ought to make themselves acquainted with the real causes of the insurrection, and then, by manfully grappling with them, to remove those parts of the Government system which were objected to, and had resulted in evil. I cannot trouble the House by searching Blue Books for every expression, but I will undertake to say there is the strongest possible evidence that that was the line and the meaning of the expressions used by my noble Friend. [Mr. W. E. FORSTER: Oh, oh!] My right hon. Friend says "Oh." I can only say that I will undertake at the proper time to make good all that I have said on this branch of the subject. Throughout all that has been done there is an apparent desire to throw blame upon us in a manner which I consider very unfair. The noble Lord has charged my noble Friend with having suggested that Europe should keep a ring, in which this contest between Turkey and Servia should be fought out, and he has described that as a very objectionable thing to be done. I think that if my noble Friend made use of any expression that could be construed into such a phrase, he must certainly be condemned for want of originality, he might even be said to be a plagiarist, for long before he had made use of it, it had already been used by the Representative of another Power. I notice that in a despatch of Lord Augustus Loftus, dated 20th of April, he describes an interview which he had had with Prince Gortchakoff, in the course of which the Prince expressed an opinion that the negotiations hitherto carried on between the Porte and the insurgents being exhausted, and the Porte having appealed to arms, the European Powers had only to await the decision of combat. *La parole*, he said, *est aux canons*. When such language is used by Prince Gortchakoff it passes unchallenged, but when anything like it is said on the part of England it is made a subject of the deepest reprobation. I ask why. And I ask again if it is fair that we are to be drawn into a discussion of this kind at a time when we do not feel ourselves thoroughly at liberty, and when it would not be convenient for the House to go into a discussion of the conduct of each and every Power in connection with each and every branch of these proceedings? I only give this instance as showing that what is condemned in us is passed over when done by others. I regret to have been forced to say so much on this branch of the subject as I have done, for I deprecate any attempt at the present time to induce the House to enter upon a discussion as to the conduct of Russia or any other of the Great Powers with whom we have been acting in reference to this question. My belief is that at the present moment we stand in a position which is full of hope as well as full of anxiety. My belief is that the result of the Conference has been by no means what is described as a failure. It is true that it has not at present led to the adoption of those particular proposals which were agreed upon by the Powers, and in so far as that goes, undoubtedly it was a failure; but in other respects it is not a failure. It has led to a good understanding among the Six Powers, to a comparison of their demands, and to an elimination from those demands of whatever seemed extravagant or dangerous, or which would not have been accepted. It has also produced a feeling of cordiality and mutual respect which I believe cannot fail to be of the utmost importance in the future conduct of European affairs if we are only allowed time and fair play, and an attempt is not made to make our every action, tone, and word *suspect*, by putting upon it an interpretation which its authors would disclaim, which can lead to no good, and may lead to much mischief. What I object to is the emphasizing everything that you can lay hold of—emphasizing everything that can tell against your own country. [*Interruption.*] Do I understand the right hon. Gentleman opposite to say—"Does your own country mean the Government?"

THE MARQUESS OF HARTINGTON: The right hon. Gentleman is wrong in supposing the observation which he questions to have been made by my right hon. Friend. I may say it was I who made the observation; but I do not know that the right hon. Gentleman has heard me quite correctly. What I said was, "For country read Government."

THE CHANCELLOR OF THE EXCHEQUER: I beg the noble Lord's pardon. He draws a distinction between the country and the Government, a distinction which he is perfectly justified in drawing, and which I think he ought to put to the test. The noble Lord will hardly deny that in these matters this country has to maintain an important position. He will hardly deny that this country must be represented by its Government for the time being; and if the noble Lord means to imply by the correction which he has just now kindly supplied us with, that the Government does not represent the country, the sooner he takes steps to bring that to the proof the better. I regret, as I said before, that we have got into such controversial matters. I can assure the House that it was very far indeed from my intention when I came to this House to be betrayed into this kind of discussion, but I have been provoked into it, and I regret that we should on this first night of the Session have diverged from what I think is the more convenient and the better course. The noble Lord has taken this opportunity of asking certain questions of the Government; and nothing could be more convenient or legitimate than that questions should be put, and that we should endeavour to answer them as far as possible. But I must distinguish between questions which are really questions put for information as to the attitude of the Government, and questions which are put, I may say, in the nature of taunt or attack. As to the observations made on speeches of the Prime Minister and other matters of that sort, they are very legitimate indeed for a subject of attack if there is a distinct question at issue before the House, but I do not exactly see in what respect the particular questions the noble Lord has put bear upon the actual matter of interest to the country—namely, to know what the attitude of the Government is, and what the policy of the Government is and has been. I must say with regard to some points in the observations of the noble Lord, I think a more careful study of the Blue Books of last Session would have shown him that there was not quite so great a discrepancy between the speech of the Prime

Minister at Aylesbury and the facts of the case as he seems to believe. But I will not do more than just call attention to one of those despatches—I mean the despatch from Prince Gortchakoff to Count Schouvaloff, communicated to Lord Derby by Count Schouvaloff on the 19th June, in which His Majesty the Emperor of Russia is referred to as seeing with much satisfaction the initiative taken by Mr. Disraeli, and the confidence again shown towards Russia. "We feel ourselves," the despatch proceeds, "not undeserving of it, and we shall answer it with the most complete reciprocity." He then goes on to state what the views of the Russian Government are, and how far they correspond with the views of the Prime Minister. I mention this merely to show that communications were going on between Her Majesty's Government and the Russian Government at the time of which Lord Beaconsfield spoke in the Aylesbury speech. It is quite true that these negotiations did not assume the formal shape of ordinary despatches, but the reason of that is that they were to a great extent conversations between the Prime Minister, Lord Derby, and the Ministers of Russia and Austria in particular, in order, if possible, to arrive at some solution of the difficulties which had arisen after the refusal of Her Majesty's Government to join in the Berlin Memorandum. I do not remember the exact words which Lord Beaconsfield used at Aylesbury; but he was perfectly right in saying that we did not, after rejecting the Berlin Memorandum, withdraw ourselves into our shell and say, "we will have nothing to do with the matter;" but we did endeavour as well as we could to see what arrangement could be brought about. Aye, and fruit came of that arrangement, because the main point of difficulty with which he had to deal was as to the particular system of autonomy which it would be best to introduce into the insurgent Provinces. There was a difference in the views of the Austrian and Russian Governments as to the exact amount of autonomy that should be proposed, and Lord Derby and the Prime Minister were exerting themselves to bring about some solution that should settle the question. And we see the result, because, in point of fact, when the Conference came to be proposed, these discussions bore their fruit, and a definition of autonomy was arrived at which was satisfactory to both Powers. While I mention this, I think these are questions on which it would probably be more satisfactory that we should hear what the Prime Minister himself will be able to tell the country in answer to questions which I have no doubt have been similarly put to him in "another place." What I am anxious to say is this—the House must not suppose that we have been without a policy, or that we have been shifting and changing in our policy throughout these transactions. Nothing is more easy than to represent that on such a day, the 21st September, you suddenly changed your position, and that as the days began to get shorter your policy began to be different. There is not the slightest foundation for such a charge against us. The House must recollect that there are certain times and particular crises when it may be necessary to write a despatch of a different character from those which preceded it. There is a time for everything. Thus the despatch which was written by my noble Friend the Secretary for Foreign Affairs in reference to the Bulgarian atrocities, and which my right hon. Friend (Mr. Assheton Cross) said was a very strong despatch for one friendly Power to have written to another, could not have been written until we had received authentic information supplied by our Ambassador with regard to those atrocities. Therefore, it was not the case that a change suddenly came over the line of the Government policy when that despatch was written; but the fact was the despatch was written at the time we had received the information, which had not been in our possession before. With that simple fact we give an explanation that ought to put an end to those far-fetched and rather invidious suggestions which have been made as to a change having occurred in our policy at that time. Then the noble Lord goes on to say, "It was on the 21st of September when you for the first time proposed mediation." It is clearly impossible, without the Blue Books being in the hands of hon. Members, for me to ask them to follow me through all the negotiations that have occurred, but in brief they amount to this. We told Parliament and the country when we separated in the Autumn that we must wait—that we could do nothing at that time when the war had broken out, but they might depend upon it that as soon as opportunity presented itself we should seize it as speedily as we could to offer our good offices to put an end to it, and the moment that such an opportunity did present itself, on the application of the Prince of Servia for our mediation, and as soon as it was possible to complete the necessary correspondence to which that application led, we availed ourselves of it. That is the natural—and, as I should have thought, the self-evident—reason why that particular time was chosen for our interference. The noble Lord referred just now to some remarks which I made during the Recess. I am anxious to repeat those remarks to the House. I still believe most fully, as much now as when I said it before, that our object should be to preserve peace, but that peace cannot be placed upon a solid footing unless it is accompanied by measures for the improvement of the government of the aggrieved Christian Provinces of Turkey. It is the belief of Her Majesty's Government that it is an object of paramount and cardinal importance to the peace of Europe, and therefore to the interests of England, that an improvement should be made in the government of those Provinces. We believe it as fully as the right hon. Gentleman opposite (Mr. Gladstone). We have never disguised our opinion about it, and the only question has been in what manner that good government is to be brought about. My right hon. Friend the Member for Greenwich has on more occasions than one told us that we have incurred by the events of the Crimean War and the Treaty of 1856 a special responsibility for the good government of the Christians in Turkey. I will not now enter into a discussion on the precise limits of that special responsibility; but we do acknowledge that we stand in a different position with reference to the Christian populations of Turkey from that in which we stand to the subjects of other Powers, and we recognize it as our duty by every legitimate means in our power to look after and to care for the condition of those populations. But we must remember how difficult a matter this intervention must necessarily be. Some years ago almost everybody in this House, and certainly every one on the opposite side, would have sprung to his feet had it been said that the doctrine of England with regard to the internal affairs of other countries was anything but that of a policy of non-intervention. The term "non-intervention" appears to be rather less popular with hon. Gentlemen on the other side of the House now than it used to be. But that doctrine is one which is based upon very sound and good reasons; although it ought not to be pushed to an extreme, and is one which must at times be departed from, and which we must not adopt in its narrowest and most exclusive sense. If you say you refuse to interfere in the affairs of a country in consequence of your wishing to save yourselves trouble, and being put to a great expense of blood and treasure, it may become a question whether you are acting right or not, but at all events it is a matter about which each country must judge for itself how far it will make up its mind to go. But beyond this you have to consider as a great reason for caution in intervention—that if you hastily intervene in the affairs of a foreign country, you will very seldom find that your intervention succeeds in its object. I do not say that if you have a particular object in view, such as to force a country to give up a war, or to yield one of its Provinces, or if you make this or that definite demand upon it, such as the giving up of a prisoner, that you may not intervene, and put on pressure, and be successful in your interference. But if you intervene for the general purpose of introducing good government into a country which for centuries has been misgoverned, you are undertaking a task which you are exceedingly likely to fail in, and it is quite probable that you may succeed not only in not doing what you would, but in making matters worse by an intervention which is not a wise one. That would especially be the case if you were endeavouring to improve the government of a country against the will of the governing power itself. If you bring it to co-operate with you, good may be done; but if you are endeavouring by force to arrange a system by which the government of the country may be improved against the will of the sovereign Power of that country, you are undertaking a task which is exceedingly difficult. Now, I venture to think the course we have pursued has been the right and prudent course. We have endeavoured as far as possible, not only by advice, but by the strongest pressure short of coercion, by the strongest pressure of our authority and advice, earnestly, urgently, and repeatedly pressed upon the Porte to induce that Power to take a course which we believed, and our Allies believed, would be beneficial to its Christian population. That is the point to which the Conference brought matters when they presented their proposals to the Porte, and I deeply regret the conduct of the Porte in refusing them. I think that conduct is most ill-advised, and that it will entail responsibilities upon that country which to her boldest statesman must appear very alarming. What course we are now to take must be a matter for consideration; but I can assure the House that it is a subject that is engaging the gravest consideration of Her Majesty's Government. We have laid down one or two lines for our guidance. We have from the beginning said what we say now, that we are not prepared to have recourse to coercion. We desire to avoid separate action, we desire to have common action, we believe that in this matter it is for the interests of all parties, including the Christian populations of Turkey themselves, that we should have common action among all the Powers, because we believe that in common action lies the best chance for securing the better government of those Provinces. Separate intervention will always be suspected. Separate intervention by any Power—and I say it without the slightest notion of offence—separate intervention by such Powers as Russia and Austria is sure to be suspected, because it is impossible that these Powers should not be suspected of having private interests of their own which may affect their conduct subsequently. It is, therefore, better for all parties that the intervention, whatever it may be, should be in common, and by the Powers acting altogether. Now, we hope that by the course which has been taken during the proceedings of the year that we have brought matters to this point—that the Powers are sincerely and substantially agreed and are prepared to act together. But it is necessary in concerted action that you should use your own judgment. It would not do to obtain concert by blindly surrendering your own judgment to that of every other Power. We desired concert at the time of the presentation of the Berlin Memorandum, but we could not see our way to it, and we should have acted improperly if contrary to our judgment we had accepted the proposals of that Note. And, similarly, in all the other proposals we have made we have endeavoured to act upon our own judgment, and upon that judgment we intend to act in future. I will not trouble the House with any speculations as to what is likely immediately to happen. The noble Lord opposite has referred to what he calls the recent revolution in Constantinople, but which is rather a change of Ministry than a revolution, and has made the fall of a Minister the text for some remarks upon what he supposed might be said of the value of the new Turkish Constitution. I am bound to say that giving every credit to the authors of that Constitution, and being willing to look at it in the most favourable light as a piece of paper legislation, I cannot put the smallest confidence, nor, I believe, could anybody put the smallest confidence, in any Constitution of that kind affording a remedy for the evils which you have to deal with. Constitutions cannot be improvised in a few months and imposed on a country wholly unaccustomed to them; neither can it be supposed that they will have all the effects in a country like Turkey that they have in a country to which they are indigenous. Constitutions are the growth of centuries, and though it may be possible—I do not pretend to form an opinion on such a matter—that if this Constitution were allowed to work for a considerable time, and were allowed fair play and were honestly worked, it might suit the Turkish nation and might lead to beneficial results to the Christian Provinces of that country; yet it is ridiculous to suppose that the mere proclamation of a Constitution without guarantees that it will be properly administered could produce any sensible results. So far as the effect to be expected from the Constitution is concerned, I think there is comparatively little importance in the change to which the noble Lord has referred; but I think we are bound to consider that in this matter we must give credit to Turkey for the willingness she has shown to reform herself. We must bear in mind that when the Powers said—You must improve your system of collecting the revenue, you must improve your judicial system, you must improve your police system, Turkey has not obstinately set herself down and said "No." She has not said, "No; you have no right to interfere, and I trust you will not meddle with these matters," but she has expressed her willingness and anxiety to grant these reforms. I know it will be said we have to deal not so much with obstinacy against reform, as with the weakness of a country which has been so long obstinately misgoverned, in our efforts to produce a better system of government. But we were of opinion that in making the proposal we did to Turkey at the Conference we were offering her that which she most wanted; that we were offering it in a form as little offensive to her pride and dignity as possible; and that we were offering her external guarantees to enable her to do the work which she said she was willing to do. It was the intention of the Government that upon matters of detail there should be the freest discussion with those who being charged with the government of the country, and having a knowledge of its circumstances, might be supposed best able to devise those measures that were needful for Turkey. What was important for us to do was to obtain some kind of guarantee that these improvements, when decided upon, should be carried into effect. Now, we believed that among the great evils which beset Turkey there was none greater than the constant change of provincial Governors. Everybody who speaks about the condition of Turkey and the evils under which she suffers will tell you that one of the greatest of those evils is the constant change of the Governors of Provinces, and that no sooner has one Governor become acquainted with the circumstances of a Province, and acquired an interest in it, than another man goes behind his back, offers a large sum of money for his removal, and gets himself appointed Governor of the Province, which he oppresses and misgoverns. One of the objects we had in view at the Conference was that these changes should be put under some restraint, tending to give greater security of tenure to the office of provincial Governor. With regard to police and judicial reforms, what we wanted to do was not to impose a new Constitution upon Turkey, but to get guarantees that Turkey would endeavour to carry into effect those reforms which were necessary. I am asked what is the policy of the Government? Well, I say the policy of the Government is expressed in a short paragraph of Her Majesty's Speech. Her Majesty says that—

> "In taking these steps, My object has throughout been to maintain the Peace of Europe, and to bring about the better Government of the disturbed Provinces, without infringing upon the independence and integrity of the Ottoman Empire."

We are taunted with speaking of the independence and integrity of the Ottoman Empire, and with referring to the Treaties of 1856 and 1871, as if they were Treaties by which we were slavishly bound to Turkey, while we neglected to regard them as giving us opportunities of doing good to her subjects. I entirely deny that. We are neither slavishly bound to the Treaties, nor did we neglect the opportunities afforded of doing good under those Treaties. And whether you say this or that step was directly required by the Treaty or not, we have proceeded in the sense of the Treaty of 1856, which was confirmed and ratified by the Treaty of 1871; and we have been endeavouring to make use of the influence and discharge ourselves of the responsibility acquired by that Treaty for the benefit of the populations of Turkey. It is impossible that we can have any other object. When you talk of British interests, of course there are special British interests in connection with this subject, just as there are also Russian and Austrian and other special interests. But we have interests in some respects of a more peculiar character than those of the other European Powers, and when we speak of British interests we speak of them in the broadest and highest sense. The great interest of England is that we should maintain an honourable peace throughout the world; and that is not only the interest of England, but the interest of the whole world. Can anybody look around over the map of Europe, and point to any country which has not more risk of loss than prospect of gain by any disturbance or a state of hostility? In any case, I venture to say that in every instance the interest of England coincides with the interests of the rest of the world for peace. Well, if that is the case with the Great Powers it is also the case of small Powers like Roumania, Servia, and Montenegro, which are growing communities, but which are disturbed in the progress of their growth by the quarrels which are fastened upon them. I think you will find in these Papers a most touching remonstrance from the Government of Roumania, showing how her progress has been checked, and what misery has been caused by the state of disturbance in which she has been kept. Therefore I assume, and I venture to say you will do harm by keeping up a state of agitation. I say that the interests even of the populations in the disturbed Provinces in Turkey themselves are best to be served by the maintenance of peace; and I believe it is far more probable that a satisfactory arrangement will be made by the maintenance of peace in those Provinces than by disturbance and war. That is the policy which Her Majesty's Government have endeavoured to pursue, and which as long as we are honoured with the confidence of the country we shall continue to pursue. We desire to bring about and maintain a common concert in these matters; but let me say, if we are to maintain a common concert with other countries, it is absolutely essential that we should wish to be respecters of Treaties. There is a great desire now to throw dirt, if I may use so familiar an expression, upon the Treaty obligations by which we are bound. There is even an attempt to say that the Treaty of 1856 has been broken, and therefore is in no way binding, because Turkey has not observed it herself. [Mr. MUNDELLA: Lord Salisbury said so.] I shall be rather surprised to find that that language has been used by Lord Salisbury. What I say is, the Treaty of 1856 was renewed by the late Government only six years ago—in the year 1871. Now, how is it that Turkey has broken the Treaty of 1856? What Article has she broken of it? You will say she has broken the spirit of the Treaty, because she has not governed as she ought to govern. Did she govern as she ought to have done down to the year 1871? No advantage was taken by the British Government of the opportunity then afforded to make a representation to Turkey that she had broken that Treaty. At the time when the Treaty was brought under review, the Government of Russia did point to certain breaches which she said had been made in the Treaty. Those breaches were, I think, of a remarkable character, having reference to the grant of greater freedom to Roumania, for instance, and other things; but the point was never urged, was never realized that Turkey was in any way guilty of a breach of that Treaty in respect of the misgovernment of the Christians. But, surely, if misgovernment puts an end to a Treaty of this important character, the charge should have been pointed out and advantage taken of it by those who are responsible for the renewing of the Treaty. I do not for a moment bring this forward in order to cast reproach upon the late Government, but rather to show that they must have known and seen, as we know and see, the great practical difficulties of dealing with this question. It was not that their attention had not been directed to this question, for it had frequently been brought on in connection with Cretan affairs, but still the question was not raised, and the despatches published in 1860 or 1861 show that full and ample notice had been taken of the misgovernment of Turkey. What the Government of that day was endeavouring to do was no doubt the right thing to do—to bring their influence to bear for the improvement of Turkey, and the fact that they brought their influence to bear is a proof that the exertions we have made to bring about a better state of things will compare not unfavourably with those of our Predecessors. I must apologize to the noble Lord if I have omitted to notice any other matters which I ought to have noticed; but there was one point on which the noble Lord spoke with regard to our having retired for a certain period from the armistice negotiations. I think the noble Lord had better wait till he has the whole of the Papers in his hands, and he can follow the whole transaction. I think he will see, and the House will see, that it is fair to wait until we can follow the whole of the negotiations. The noble Lord has certainly not given the version which I think he would give if he had taken the whole negotiations together; but beyond saying that I would rather not enter into a discussion of the subject just now. I have only one word more to say, and that is this—that when the noble Lord, and those who agree with him on this subject, receive the Papers they will see a full official account of all the proceedings connected with the Conference, they will see the Instructions given to Lord Salisbury, and they will see in how faithful a manner those Instructions were carried out. The people of England have every reason in this matter to be proud of their Representative; and if, unfortunately, the result has not been in all respects such as it was our desire that it should be, we shall, I am sure, all be ready to admit that it was not owing to a failure on the part of my noble and distinguished Friend. But I wish it to be understood that in what was done my noble Friend was not acting, as some persons would have us believe, on his own judgment alone, and that he was not striking out a new line, and one that was not authorized or prescribed to him by his Instructions. On the contrary, my noble Friend was strictly in accord with his Instructions in all those proceedings. I saw, and saw, I may say, with some amusement, the other day in a newspaper which takes a great interest in the subject, a quotation from some of the closing words—or nearly the closing words—which Lord Salisbury used in one of the last meetings of the Conference; and the remark was made that if such language as that had been used by Her Majesty's Government, it would have given a very different colour to their proceedings in this matter. But these identical words, I think, were taken by Lord Salisbury from the Instructions with which he was furnished; and I will venture to read to the House a few words from those Instructions.

MR. GLADSTONE suggested that the right hon. Gentleman was out of Order in reading from an unpublished document.

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, I may take the opportunity of reading a few words from the Instructions given to Lord Salisbury, which will be found in these Papers. [MR. GLADSTONE: Order, order!] I imagine I am strictly in Order in reading an extract from a Paper which has been formally laid on the Table of the House. Even if it had not been formally laid on the Table, I think my right hon. Friend will admit, if he looks to the precedents, that I should be justified in reading from a Paper which I propose to lay on the Table. I should not be justified in reading from a Paper which I said I could not lay on the Table; but when I am proposing to read a few very short extracts from the Instructions given to Lord Salisbury, in order to show what the spirit was in which he was sent to Constantinople, I think the House will bear with me. I would simply say, in the first place, that in the early part of the Instructions laid down for Lord Salisbury's guidance — ["Order, order!"] If any hon. Member says I am out of Order I am willing to sit down and argue the point, but I am not disposed to be stopped in doing that which I believe to be strictly in Order. Lord Salisbury having been informed of the general views of Her Majesty's Government, first of all of the English basis on which the Conference was founded, and then of the scheme of administration which Her Majesty's Government were to propose, the Instructions went on to say—

"Her Majesty's Government have not endeavoured to offer more than the outline of a system of local self-government, in which they have aimed at the establishment of provincial administration under Governors whose ability and integrity would be vouched for by the guarantee of a diplomatic veto, acting with provincial elective assemblies having control over the local taxation, with permanent judges and other higher officials appointed under a similar guarantee, and with a reformed system of local militia and police, the removal of any remaining Christian disabilities, the improvement of the land laws, and the amelioration of the condition of the whole agricultural population.

"Her Majesty's Government believe that if some such system of local self-government could be established, it would form the best guarantee for the well-being of these provinces, and open the way to the general adoption of reformed and constitutional Government throughout the Turkish Empire.

"Having thus stated the nature of the guarantees which Her Majesty's Government consider may fairly be demanded of the Porte, it remains for me to state explicitly that Her Majesty's Government cannot countenance the introduction into the Conference of proposals, however plausible or well-intentioned, which would bring foreign armies into Turkish territory in violation of the engagements by which the Guaranteeing Powers are solemnly bound.

"In authorizing your Excellency to declare this determination on the part of Her Majesty's Government at the Conference, should occasion require it, they desire at the same time that it should be understood by the Porte that Great Britain is resolved not to sanction misgovernment and oppression, and that if the Porte by obstinacy or apathy opposes the efforts which are now making to place the Ottoman Empire on a more secure basis, the responsibility of the consequences which may ensue will rest solely with the Sultan and his advisers."—[*Turkey*, No. 2, p.p. 9, 10.]

Sir, the Sultan and his Advisers have taken upon themselves that responsibility, and it now rests with the other Powers of Europe to consider what course they shall take in consequence. Her Majesty's Government will enter into consultation with our Allies on this subject; and I feel confident that, whatever may be the result of those consultations, our course will be one worthy of the honour and consistent with the interests of England.

MR. GLADSTONE: Sir, although my right hon. Friend has addressed the House at great length, with excellent temper, and great ability, yet his speech has served more than any other to impress this conviction on my mind—namely, that it is totally impossible for us at present to arrive at a satisfactory discussion of the question. And if I do regret his having read from the Instructions to Lord Salisbury, I do not join issue with him on the point of Order. My learning does not carry me far enough for that; but I join issue with him on the point of usage and on the point of utility. If there be a rule of this House against quoting from official Papers which are not before the House, the meaning of it is that the quotations so made cannot be checked and followed by those who hear them; and my right hon. Friend in making that quotation made one which we have no power to follow or to check. That was the reason of the objection which I ventured to take. I did not intend or propose to press it beyond that point, and my right hon. Friend, I may venture to remind him, went directly in the teeth of the admonition he himself again and again gave us—to wait for the Papers and not attempt to discuss the matter without them. For my own part, recognizing the justice of that admonition so strongly, and especially after the able speech of my noble Friend (the Marquess of Hartington), I should not have said a word to-night but for the fact that there have been several allusions made to what is called the agitation of the Autumn and to the exaggerations connected with it. In the debates which it is evident will arise on this subject, I shall be prepared to stand by every word that I have written or spoken upon it. And if the charge of exaggeration be made against me, I altogether repel and repudiate that charge. My quotations against Her Majesty's Government have consisted almost exclusively of quotations from their own speeches and writings. I grant that the accusations conveyed by those quotations have been severe, but that is not my fault; and they have not derived a colour or an addition from anything that has been said by me. But I must adhere to opinions which you may, if you please, call exaggeration. If a plan is proposed of which you disapprove, because you think it goes too far, you may apply that term to it if you choose; but though you may think a plan which you believe goes beyond the necessity of the case is unwise, that is not what is commonly meant by the word exaggeration. My right hon. Friend—and I regret it—seems to be still involved in the old labyrinth of persuasions to Turkey to set about the work of self-reform. He said that Turkey did not repel the idea of self-reform; she did not get upon the high horse, as other Powers might have done, and say she would not do it, but she was willing to entertain this, to entertain that, and to entertain the other; and my right hon. Friend thinks that that is a matter of great satisfaction. [The CHANCELLOR of the EXCHEQUER: No, no! I do not.] Then he does not think it is a matter of great satisfaction. I have misunderstood his speech, and I am glad to have been able to have removed that misapprehension, which may have entered other minds as well as my own. He quotes the words of Lord Carnarvon, and dwells on what he thinks is an important qualification when Lord Carnarvon, in a passage which did him great honour, said that what is called "the autumn agitation" would do great good, and would immensely strengthen the hands of the Government, provided the speeches and the writings were rightly understood. I accept that statement. I do not suppose any man would be responsible for the misunderstanding of his speeches and his writings, and I myself entirely decline to be held responsible for the versions given at Conservative dinners and clubs of my speeches at any of the public meetings of my countrymen, freely called together. The fair question is, what is the true construction to be put upon those speeches and the writings. I have, however, no information that would lead me to believe that such speeches and writings have been misunderstood. On the contrary, I think they have convinced the nations of Europe that the feelings of the British nation had been grossly misapprehended up to the close of the Session of Parliament. It was the language held by the Government which had brought about that misapprehension, and it was what is called "the autumn agitation"—it was the popular expression—most irregular, if you like, most undesirable I admit, and not to be resorted to except under the strongest necessity—it was that agitation which has given the Continent of Europe to understand what the real feelings of the British people are. My right hon. Friend complains of the misunderstanding of the words of Lord Derby. My right hon. Friend—I must do him the honour and justice to say—was the first Member of Her Majesty's Government, or nearly the first, who as late as the month of September acknowledged that we had a great responsibility for the condition of the subject races in European Turkey. That avowal did him honour; but during the last Session of Parliament, when the whole subject appeared to me to be exclusively in the hands of the Prime Minister and of the Foreign Secretary, never once were we able to obtain a single declaration which owned that responsibility. My right hon. Friend says we misunderstand the words of Lord Derby. I do not wish to misunderstand them or, in emphasizing them, attribute to Lord Derby what is odious or invidious. I wish to know the true natural and grammatical meaning of language. Lord Derby had said, in speaking on the subject, that the gravity of the situation arose from the weakness and apathy of the Porte in dealing with the insurrection in its earlier stages; and my right hon. Friend says that "dealing with the insurrection" means that the Porte was apathetic in removing the causes of discontent which led to the insurrection. Talk of the hair-splitting of theologians. I must say that of all the schools I have ever known I do not think there was ever any more successful than my right hon. Friend in the interpretation of words. At any rate I venture to state what was my construction, and I say that "dealing with the insurrection" can only mean the military measures taken against the insurrection. If Lord Derby had said, "dealing with the causes of the insurrection," or "with the discontent which led to the insurrection," there would have been some cover for the interpretation of my right hon. Friend. But "dealing with the insurrection" is a phrase which I think, can only reasonably bear the meaning I have ventured to put upon it. At any rate, readers of the debates to-morrow will form their own judgment upon the matter, and will form it in deference neither to my judgment, nor to that of my right hon. Friend. I hope it will not be said there is any attempt, on my part at least, to twist language, and I do not accuse my right hon. Friend of any such thing by voluntary action; but I contend that it is a palpable paradox to apply to the words "dealing with the insurrection" the sense which my right hon. Friend has endeavoured to put upon them. Well, then, my right hon. Friend insists that there has been no change of policy on the part of Her Majesty's Government. For my own part, I must say, though I have my own opinion upon the policy and proceedings of the Government, that is not the portion of the question which interests me or which has interested me at any conjuncture of these proceedings. My desire is that what is right should be done, and in my opinion, this is without exception the most solemn question we have ever had to discuss. I will not enter into the Treaty of 1871, but this I will say—my right hon. Friend thinks that, in common with others, all Members of this House and Members of every Government are at all times perfectly aware of the exact mode in which the Provinces of the Turkish Empire are governed. I am very glad that the comprehensive mind of my right hon. Friend has been enabled to keep him stocked from year to year with the information. Such has not been the case with me. It has only been long and painful investigation that has brought me to the conclusion at which I now stand. I adhere to that which my right hon. Friend perhaps calls an exaggeration, and I affirm that no schemes of reform will be other than a delusion—a mischievous, unpardonable delusion—after so many have been experienced and detected, which recognizes and establishes what is called the independence of Turkey in the government of the revolted Provinces. It is perfectly idle to talk of the independence of Turkey in the government of these revolted Provinces, if you mean to do anything which is worthy of doing. I am bound to say—though I am not responsible in any way for the plans of the Conference; they were not my plans. They were of a different character, very complex, and full of danger, and open to much objection—but at the same time the Conference did go pretty nearly to the root of the matter. They did introduce the element of foreign authority into the government of those Provinces, thereby effectually crippling the exercise of arbitrary Turkish authority within these limits, and thereby also putting an end, so far as those Provinces are concerned, to the doctrine of the independence of Turkey. But, Sir, in these remarks, my object is not to widen the field of this controversy. I have I believe confined myself strictly to the few points which have fallen from my right hon. Friend and others, and to these I will adhere also in the few words I have yet to say. My right hon. Friend says there has been no change of policy. If it be a comfort and satisfaction to the mind of my right hon. Friend to believe this, God forbid I should grudge him one iota of that comfort. I hope, however, on the other hand, he will not grudge me the satisfaction of saying that in the present policy of Her Majesty's Government, I now recognize not all I could desire, not all that I could hope to see in the future, but certain great facts for which we formerly looked in vain. There is, in the first place, an acknowledgment of responsibility. We no longer hear that if ever there was a case for absolute non-interference, it is the case of the Sultan and his subjects, as was said by Lord Beaconsfield. We do not now hear that we have no more to do with the quarrel between the Sultan and his subjects than we have to do with any other quarrel between a Sovereign and his people, as was said by Lord Derby. All this is a gain. "There has been no change of policy!" Never mind! Those things are gone, and we shall, at all events, hear from responsible Ministers no more opinions like those—thanks in no small degree to the much-despised "autumn agitation." Then my right hon. Friend said, I think, that there had been an industrious attempt to fasten upon the Government the charge of a desire to lead the country into a war for Turkey. Now, I have heard a good deal of the most mischievous matter, which has been almost treasonably ventilated against the present Government, but I have never heard of that. What I have heard is this—that, from whatever motives, and probably from motives quite distinct from such a desire, the Government placed us in a position in which there was great danger of being led to that result. The demonstration in Besika Bay, the conversion of the squadron there into a fleet, the acceptance of the compliments paid to the Government on the assumption that this demonstration was part of a vigorous foreign policy, the knowledge that it was not to go to war with Turkey that the fleet was sent there—the construction placed upon these things as well as upon the Guildhall speech, was, not the Government had a desire to go to war with Turkey—I wish that the right hon. Gentleman opposite and other Members of the Cabinet had more fully entered into the question during the Recess than they did—not that they desired to go to war for Turkey, but that their policy had tended to place us in that position. That is a totally different charge, and one which I think my right hon. Friend will find not quite so easy to get rid of. I want to call the attention of the House, in conclusion, to one question put by the noble Lord (the Marquess of Hartington) to my right hon. Friend. He asked what was to follow the rejection by Turkey of the proposals of the Conference. My right hon. Friend answers—"That is a matter which is receiving the grave consideration of the Government." The answer is a perfectly fair one. We have, therefore, in it some elements of satisfaction. Last year we felt that no value was set upon the concert of Europe, which, as I think, was most wantonly set at nought and repudiated. That is not so now, for it is impossible to hear any man state with more clearness, force, and, I need not say, more obvious sincerity, than does my right hon. Friend, the importance he attaches to the concert of Europe. I think my right hon. Friend's answer that it was a matter of serious consideration to the Government, an answer which I am bound absolutely to accept, and at the present moment I will not attempt to press him or Her Majesty's Government in the slightest degree upon the matter. But my right hon. Friend said there were two other things—that separate intervention would be *suspect*—and I cannot deny that it would be a serious evil; and also that the Government were not prepared to resort to coercion. My right hon. Friend's answer on the last point was not quite clear. He did not say that the Government were not prepared to join Europe in either the use, or the application of force. I will not enter into this question now. I only want to point out that when he said he was not prepared to resort to coercion, it remained a little ambiguous whether it was on the part of England alone, or whether my right hon. Friend meant the phrase to apply to common as well as separate coercion. We shall, however, approach this subject to greater advantage at a future date. My right hon. Friend said, and I have to thank him for it, that he could not put the smallest faith in the Turkish Constitution. That is one of the statements which I recall with real gratitude, and I must own that there is no portion of his speech with which I am less disposed to quarrel than the cordial eulogy he passed upon the conduct of Lord Salisbury. I think that Lord Salisbury has acted as an able, honourable English Gentleman, with a manly mind, and has done at the Conference the utmost that was possible under the circumstances. If I may distinguish between the words of Lord Salisbury those which seem to me entitled to special honour, I choose that passage in which he stated that if the Porte should refuse the proposals of the Powers, the position of the Turks would have undergone a complete change in the face of Europe. That is a most important declaration, and at the proper time I shall be prepared to argue that Turkey has placed herself entirely outside the Treaty of 1856 by her total, hopeless, and absolute disregard of the solemn stipulation which she entered into. I think this is the meaning, and the only meaning, of Lord Salisbury's words, for otherwise I do not see how the position of Turkey could have undergone a complete change in the face of Europe. My right hon. Friend also said that my noble Friend (the Marquess of Hartington) had drawn a distinction between the country and the Government, and that if he did draw such a distinction, it was his duty to take the earliest possible measure for putting that matter to the test. I am not entitled to speak for my noble Friend, but I should like to know in what way it is in the power of my noble Friend to do so. Would it be by a Vote of Want of Confidence in the House of Commons? I suppose it may be said that the House of Commons represents the country; but still it is not the country, and, as people have lately drawn a distinction between the country and the Government, so there might be circumstances in which they might draw a distinction between the country and the House of Commons. My right hon. Friend was so kind, and at the same time so urgent in pressing the noble Lord to test the question of the distinction between the country and the Government, that perhaps he will be inclined to give him some practical assistance in the matter. If he is in that disposition, I will venture to say he has the power, together with those with whom he sits, of raising the question and bringing it to a final issue by giving certain advice to Her Majesty which she could follow. I am merely acting as a mediator. It appears to me that that is the only way in which the matter can be tested. I am sure my right hon. Friend opposite is sincere in wishing it to be tested, and I venture, therefore, to point out to him that it is in his power to do it. There is another question which I do not think my right hon. Friend answered very distinctly; but perhaps the answer will be contained in the Papers. The question is, as to the steps which had been or were to be taken in order to give effect to Lord Derby's despatch of September 21. A third question which I think my right hon. Friend also forgot to notice is whether with reference to the departure of the Ambassadors, the withdrawal took place to mark the displeasure of the Governments at the refusal of the proposals of the Conference, and I should add this—whether, if it was so understood, the language held by Sir Henry Elliot was consistent with the interpretation which is thus proposed to be assigned to it.

Mr. GATHORNE HARDY: I so entirely concur with the right hon. Gentleman in his original statement that this is not a good opportunity for discussing the question in its details, that I shall certainly not follow him through those points into which he has gone on the present occasion. At the same time I wish most distinctly to state that the Government are not at all disposed to concede any of the points as to their want of consistency, or as to the misinterpretation of their motives, or as to the interpretation which the right hon. Gentleman himself may put on his own writings and speeches, and which may be very different from the interpretation put upon them by others. I will answer the two questions which the right hon. Gentleman has put last. He will find in the Papers which are to be laid upon the Table this evening, a very full account of what was done by Lord Derby with respect to the despatch of September 21, and how it was pressed on the attention of the Porte. As to what was meant by the withdrawal of our Ambassador, I would much rather have it judged, not by a short answer of mine, but by the proceedings which were taken and by the voluminous despatches which will be found there. The right hon. Gentleman good-humouredly advises us to take an example from him, and I have no doubt he hopes with the same result. We are, however, entirely satisfied that this Parliament may be taken, as well as the Government, to represent the country in the negotiations which have recently taken place.

Motion *agreed to.*

Committee *appointed*, to draw up an Address to be presented to Her Majesty upon the said Resolution:—Viscount GALWAY, Mr. TORR, Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary CROSS, Mr. Secretary HARDY, Mr. HUNT, Sir CHARLES ADDERLEY, Mr. SCLATER-BOOTH, Mr. ATTORNEY GENERAL, Mr. BOURKE, Mr. EDWARD STANHOPE, Mr. WILLIAM HENRY SMITH, Sir WILLIAM HART DYKE, and Mr. WINN, or any Three of them:—To withdraw immediately:—Queen's Speech *referred.*

House adjourned at half after Nine o'clock.

HOUSE OF LORDS,

Friday, 9*th February*, 1877.

MINUTES.]—SELECT COMMITTEE—Intemperance, *appointed.*
PUBLIC BILL—*First Reading*—Metropolitan Board of Works (Election of Members) * (2).

INTEMPERANCE.

MOTION FOR A SELECT COMMITTEE.

Moved that a Select Committee be appointed for the purpose of inquiring into the prevalence of habits of intemperance, and into the manner in which those habits have been affected by recent legislation and other causes.—(*The Lord Archbishop of Canterbury.*)

Motion *agreed to.*

And, on Tuesday, the 13th instant, the Lords following were named of the Committee:—

L. Abp. Canterbury.
L. Abp. York.
D. Westminster.
E. Shrewsbury.
E. Shaftesbury.
E. Belmore.
E. Onslow.
E. Morley.
E. Kimberley.
V. Gordon.
V. Hutchinson.
L. Bp. Peterborough.
L. Bp. Exeter.
L. Bp. Carlisle.
L. Penrhyn.
L. Aberdare.
L. Cottesloe.

The Committee to appoint their own Chairman.

And, on February 15, the Lord Hartismere *added.*

METROPOLITAN BOARD OF WORKS (ELECTION OF MEMBERS) BILL [H.L.]

A Bill for increasing the number of members of the Metropolitan Board of Works, and for altering the mode of electing such members—Was *presented* by The Earl of CAMPERDOWN; read 1ª. (No. 2.)

YEOMAN USHER OF THE BLACK ROD.

Ordered that Lieutenant-Colonel the Honourable Wellington P. M. C. Talbot, Serjeant-at-Arms, be permitted to officiate in the room of Colonel Clifford during his absence through deep domestic affliction.

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 9*th February*, 1877.

MINUTES.]—New Writ Issued—*For* Wilton, *v.* Sir Edmund Antrobus, baronet, Chiltern Hundreds.

Select Committee — Standing Orders, *nominated;* Selection, *nominated;* Printing, *appointed.*

Public Bills — *Resolutions in Committee — Ordered—First Reading*—Intoxicating Liquors (Scotland) * [13]; Intoxicating Liquors (Licensing Boards) * [24]; Burials * [36]; Intoxicating Liquors (Ireland) * [37]; Permissive Prohibitory Liquor * [42]; Companies Acts Amendment * [45]; Divine Worship Facilities * [47]; Beerhouses, &c. (Ireland) * [57].

Ordered—First Reading—Prisons [1]; Universities of Oxford and Cambridge [2]; Prisons (Ireland) [3]; Prisons (Scotland) [4]; Justices of Peace, &c. (Clerks' Fees) [5]; Volunteer Corps (Ireland) * [6]; Cruelty to Animals * [7]; Newspapers Registration * [8]; Summary Prosecutions [9]; Territorial Waters Jurisdiction * [10]; Town Councils and Local Boards * [11]; Ecclesiastical Offices and Fees * [12]; Entails and Settlements Limitation * [14]; Parliamentary Registration (Ireland) * [15]; Ancient Monuments * [16]; Women's Disabilities Removal * [17]; Metropolis Toll Bridges * [18]; Franchise Extension (Ireland) * [19]; Threshing Machines * [20]; Land Tenure (Ireland) * [21]; Locomotives on Common Roads * [22]; House Occupiers Disqualification Removal * [23]; Game Laws (Scotland) Amendment * [25]; Crossed Cheques on Bankers * [26]; Plumstead Common Preservation * [27]; Union Justices (Ireland) * [28]; Colonial Marriages * [29]; Church Rates Abolition (Scotland) * [30]; Banns of Marriage (Scotland) * [31]; Hypothec (Scotland) * [32]; Union Rating (Ireland) * [33]; Local Government in Towns (Ireland) * [34]; Congé d'élire * [35]; Registration of Borough Voters * [38]; Employers and Workmen Act (Extension to Seamen) * [39]; Real Estate of Intestates * [40]; Married Women's Property (Scotland) * [41]; Legal Practitioners * [43]; Sea Fisheries (Ireland) * [44]; Poor Law Guardians Elections (Ireland) * [46]; Irish Church Acts Amendment * [48]; Imprisonment for Debt Abolition * [49]; Sale of Intoxicating Liquors on Sunday (Ireland) * [50]; Landlord and Tenant (Ireland) Act (1870) Amendment * [51]; Monastic and Conventual Institutions * [52]; Parliamentary Electors Registration * [53]; Racecourses (Licensing) * [54]; University Education (Ireland) * [55]; Tenant Right (Ireland) * [56]; Agricultural Holdings (Ireland) * [58]; Parliamentary and Municipal Registration * [59]; Forfeiture Relief * [60]; Settled Estates * [61]; Open Spaces (Metropolis) * [62].

IRELAND—SUNDAY CLOSING OF PUBLIC HOUSES.—QUESTION.

Mr. O'CLERY asked the Chief Secretary for Ireland, If it is the intention of Her Majesty's Government, having regard to the decisive majority of the House last Session, to introduce a Bill dealing with the question of the closing of public houses in Ireland on Sunday?

Sir MICHAEL HICKS-BEACH: Sir, in the first place, I may remind the hon. Member that Notice has already been given by my hon. and learned Friend the Solicitor General for Ireland and myself of the introduction of three important Irish Bills, dealing with subjects on which early legislation has for a long time past seemed to the Government necessary, and that the time at the disposal of the Government in this House is limited. In the second place, I observe that the hon. Member for Derry (Mr. R. Smyth) has already given Notice of his intention to introduce a Bill on this subject; and I see no reason why the Government should attempt to take it out of his hands. The Government have already shown their respect to the decision of the House to which reference has been made by their action last Session with regard to the Bill of the hon. Member for county Derry. They are prepared to adopt a similar course this year; but I shall hope by some means or other to obtain a more favourable opportunity than then presented itself for placing fully before the House the information from which it appeared advisable to the Government that the measure of the hon. Member for Derry should not be brought into full effect in the large towns of Ireland.

INDIA—KHELAT—AFGHANISTAN.

QUESTIONS.

Mr. GRANT DUFF asked the Under Secretary of State for India, What number of troops the Indian Government has at present within the dominions of the Khan of Khelat, where they are stationed, and on what duties they are employed; and, whether any arrangements have been come to with the Ameer of Afghanistan for the residence of a European servant of the Indian Government at Herat or at any other place within Afghan territory?

LORD GEORGE HAMILTON: Sir, so far as we know, the only troops at present within the territories of the Khan of Khelat are the escort sent with Major Sandeman, who was deputed by the late Viceroy to settle the disputes between the Khan and his Sirdars, and arrange for the undisturbed passage of caravans through the Bolan Pass. Major Sandeman remains in Khelat territory at the request of the Khan.

MR. GRANT DUFF: What is the number of the troops?

LORD GEORGE HAMILTON: I believe somewhat under 1,000 men.

MR. GRANT DUFF: Where are they stationed?

LORD GEORGE HAMILTON: I am not certain where they are at the present moment. They will no doubt move about the country as circumstances require.

NAVY — OFFICERS OF THE ROYAL MARINES AND ENGINEER DEPARTMENT.—QUESTION.

MR. GORST asked the First Lord of the Admiralty, Whether any measures have yet been adopted by the Government for improving the position of the Officers of the Royal Marines and of the Engineer Department of the Royal Navy?

MR. HUNT, in reply, said, that neither the Marine nor Engineer officers had been forgotten by Her Majesty's Government, and he purposed when moving the Navy Estimates to state what had been done in reference to them.

BRITISH SUBJECTS IN FOREIGN SERVICE.—QUESTION.

MR. O'REILLY asked Mr. Chancellor of the Exchequer, Whether there are at present any person or persons in the service of the Crown, or other British subjects serving, with the permission of the Crown in the naval or military forces of Turkey; whether Her Majesty's Government have considered the question of withdrawing such permission; and, whether any such permission will be granted in future?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that there were at present two officers who were formerly in the service of the Crown in the service of Turkey, and three in that of Egypt. Those in the Turkish service were the Hon. Captain Hobart and Retired Naval Lieutenant Woods; while those in the service of Egypt were Retired Captain M'Killop, Retired Commander George Morris, and Retired Major James Morris, of the Royal Marines. No person in the military service of the Crown had permission to serve in the naval or military services of Egypt or Turkey. No question had been raised as to the withdrawal of the permission which had been given to the naval officers in question, and with regard to the future, it was impossible for the Government to give any information as to details.

PUBLIC HEALTH — PURE VACCINE LYMPH.—QUESTION.

SIR TREVOR LAWRENCE asked the President of the Local Government Board, Whether, having regard to the severity of the present epidemic of small pox, the urgent necessity of providing facilities for vaccination in its most efficient form, and the prejudices which, however unreasonable, exist in some parts against vaccination from arm to arm, he will take steps to provide a supply of vaccine lymph from the calf for such public vaccinators as may require it, as is done in Belgium?

MR. SCLATER-BOOTH: In reply to my hon. Friend, Sir, I can assure him that the subject of vaccination from the calf has not been overlooked by Her Majesty's Government. The practice, as pursued in Belgium and other countries, was investigated personally by the present Medical Officer of Health of the Local Government Board. The results of that inquiry will be found in the 12th annual Report of the Medical Officer of the Privy Council, and they were not favourable to the adoption of the practice. Subsequent experiences of it have been of a conflicting character. The subject is now attracting attention in the country, and will not be lost sight of by the Local Government Board.

SOLDIERS IN SKATING RINKS — UNIFORM.—QUESTION.

COLONEL KENNARD asked the Secretary of State for War, Whether his attention has been called to a letter which appeared in the "Standard" of the 2nd of February, signed by a Royal Engineer, relating the circumstances under which he, a soldier wearing Her Majesty's uniform, was expelled on that account from the Luton Skating Rink (Bedfordshire); and whether steps, if any, could be taken to prevent the repetition of any such similar occurrence at places of public resort?

MR. GATHORNE HARDY: Sir, in reply to the Question of the hon. and gallant Member, I have to say that my attention was drawn by his Question to the letter which appeared in the *Standard* newspaper, which I find is anonymous, being signed "A Royal Engineer," and that I have no means of ascertaining whether the circumstances stated in the letter are correct. I may observe that the Government have no power to prevent institutions of this kind from making such bye-laws and regulations as they may think fit; though, at the same time, I much regret that any slight should have been offered to Her Majesty's uniform.

NAVY—H.M.S. "NEWCASTLE"—LOSS OF LIFE.—QUESTION.

MR. HANBURY-TRACY asked the First Lord of the Admiralty, Whether his attention has been called to an article in the "Army and Navy Gazette" of February 3 entitled "Left to Die," in which the Captain of H.M.S. "Newcastle" is stated not to have taken sufficient steps to rescue the lives of Mr. Wingfield, midshipman, and two able seamen who had gallantly jumped overboard to save a man from drowning; whether he is able to contradict the statement there made—

> "That in one short hour after the man fell overboard, before she had sighted the men or the life-buoy, the boat was recalled, and the ship stood away. That the Commander begged the Captain to 'beat up' to the spot where the men were likely to be still battling for life, but that the Captain declined to do so. That throughout the ship and the squadron there is a most painful impression that either from apathy, want of presence of mind, or absence of resource, these gallant fellows were left to die."

And, whether a court of inquiry has been held to investigate into all the circumstances of the case; and, if not, whether, in justice to the Captain and the honour of the Naval Service, he will give directions to hold one forthwith?

MR. HUNT: Sir, I have read the article to which the Question of the hon. Gentleman refers; but I am unable at the present moment either to confirm, or to contradict the facts set forth in it. I am sorry, however, to say that it is correct in the main fact that an unfortunate loss of life occurred on the occasion to which it alludes. I have received the following extract from a Report, dated 18th December, 1876, from the Captain of H.M.S. *Newcastle* to Rear Admiral Lambert, commanding the Detached Squadron to which his vessel belongs:—

> "At about 2.50 p.m. yesterday (December 13) Mr. Wingfield, midshipman, had hove the log, when William Miles stepped on the lower half of the starboard quarter port for the purpose of snatching the log line, when he slipped and fell overboard, Mr. Wingfield jumping after him. The life buoy was immediately let go, and the ship brought to the wind on the port tack. She was running with single reefed topsails, and both courses, between 8 and 9 knots, with a very nasty, irregular sea. The lifeboat was at once cleared and lowered, and signalmen and look-out men were placed aloft in the mizen top, rigging, and topmast crosstrees to look out, but before the cutter was clear of the ship Myles was observed to throw his arms up, and Mr. Wingfield struggling to support him, when both were lost sight of. In the meantime, Robert Hesk, A.B., and George Reed, A.B., had jumped from the quarter of the ship, and both were observed making for the life buoy, but disappeared before they succeeded in reaching it, and I grieve to say were never again seen on the surface. The lifeboat (first cutter) was ordered to pull on the bearings for the men, but she failed, after some time in looking about, to discover anything of them, when I reluctantly, after an hour's unsuccessful search, ordered the recall to be hoisted. The boat was clear of the ship in about three minutes from the time the alarm was given."

Since receiving the Report I have not been able to communicate with the Squadron, which is now under orders for home, so that I am unable to say whether the Admiral has ordered an inquiry into the matter. If he has not done so, I shall certainly cause inquiry to be made, so that the full particulars may be elicited.

LORD CHAMBERLAIN'S DEPARTMENT —FIRES IN PLACES OF AMUSEMENT.

QUESTION.

SIR WILLIAM FRASER asked the Secretary of State for the Home Department, Whether, should he consider the power of the Lord Chamberlain in adequate, he will, by increasing or altering such power, provide for the security of the public visiting places of public amusement?

MR. ASSHETON CROSS, in reply, said, that the Lord Chamberlain had been in communication with the Home Office on the subject for some time; but that it being found necessary to take the opinion of the Law Officers of the Crown on the point, no steps had yet been taken in the matter. The question, however, was under consideration, their opinion on the case having just been received.

STORAGE AND CONVEYANCE OF WATER.—QUESTION.

MR. WHALLEY asked the President of the Local Government Board, Whether it is his intention to introduce a Bill for affording facilities for the storage and conveyance of water, pursuant to the recommendation of the Commission in their Sixth Report on the Pollution of Rivers and Domestic Water Supply?

MR. SCLATER-BOOTH: I presume, Sir, the recommendation to which the hon. Gentleman alludes is

> "that the owners of land should be permitted to include the cost of village water supply among those expenses which they are now enabled to charge on their estates, with consent of the Improvement Commissioners."

Taken by itself this would hardly be for me to initiate, but taken in connection with another well-known recommendation of the Sanitary Commission, it would become of considerable importance. Having regard, however, to the amendments in the law which were effected in the Public Health Act of 1875, I am not prepared at this moment to introduce any Bill having the limited object suggested by the hon. Gentleman.

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Report of Address *brought up*, and read.

MR. GRANT DUFF: Sir, before the Report is agreed to, I wish to call attention to an omission in Her Majesty's gracious Speech, which is, I think, very unfortunate. We were told of the famine in Southern India; we were told of the Delhi pageant; but no allusion whatever was made to the astounding calamity which destroyed a vast number of Her Majesty's subjects close to the capital of Her Majesty's Eastern Dominions. The noble Lord the Mover of the Address (Viscount Galway), guided, I think, by a happier inspiration than that under which the Cabinet settled the details of the Royal Speech, did allude to the sad event, but surely the Speech itself should have made some mention of it, especially as it was the first Royal Speech delivered since the proclamation of the Imperial Title. An hon. Member addressing his constituents in a town of Northern England the other day referred to the curious manner in which we pass over with little remark occurrences of great importance in distant parts of Her Majesty's dominions, and he used an extremely happy illustration. If, he said, a storm takes place on our coast, and 30 men go down at the mouth of the Tyne, there is a great and general excitement; but now 250,000 persons have been destroyed in India in one moment, just as if the whole population of the county of Northumberland had been swept into the sea. That I thought a striking illustration when I read it, and I confess I did not expect so soon to meet with so startling a confirmation of the truth which the hon. Member was enforcing. I hope the right hon. Gentleman the Leader of the House will be able to tell us that it was not forgetfulness, but some sufficient and explicable, though not obvious reason which excluded allusion to such a tragedy from the gracious Speech of yesterday. Surely to have said one kind word about it would have been very agreeable to Her Majesty's own feelings, and to show that India has its fair, though not more than its fair, place in the thoughts of its Ruler would, I cannot help thinking, do more to attach the inhabitants of that country to the Throne than much burning of powder in salutes, or the congregating of any number of elephants amongst the ruined cities which surround the present Delhi, and whose fallen magnificence must, in the eyes of some of the observers have given a touch of grim irony to the Imperial display. I the more regret that this terrible visitation has been left without mention, because it fell chiefly upon the peasantry, and because of late the tendency—the result, I trust, of accidental circumstances—has been, I think, to bring the Princes and Potentates of the Peninsula a little too prominently into relief at the expense both of the humbler classes of the Natives and of the European servants of the Crown, by whose brains and arms the Empire was wisely and bravely won, and is mainly held.

The CHANCELLOR of the EXCHEQUER: Sir, I cannot wonder at what has just fallen from the hon. Gentleman, and I may say this, that the omission to which he refers is one which struck my noble Friend Lord Salisbury. I think I may fairly say that if Lord Salisbury had been present amongst us at the time of the early discussions of the draft of the Queen's Speech, that omission would not have occurred; but on the only occasion on which his Lordship was able to attend the Cabinet before the Queen's Speech was finally settled there were other matters which attracted attention. I can only say that this terrible calamity is one of which it is impossible to speak with too much gravity or too much sympathy. It is perfectly true that the calamity is one which I believe is altogether unparalleled in the history of the world. Of all the famous catastrophes, including the famous earthquake which took place in the last century at Lisbon, there is nothing to compare with this fearful disaster. On the other hand, the disaster is of a kind which is apparently beyond the reach of human means of prevention. It was not, as in the case of the Famine, a matter in which it was possible to take precautionary measures to prevent such calamities happening in the future. Therefore, it was not a matter immediately under consideration, whereas the Famine was a subject which for some two months was directly under our notice, and the question necessarily arose as to what steps the Government could and ought to take. But I can assure my hon. Friend that it is a matter of serious regret to the Government that by an oversight there should have been an omission on the part of those who advise Her Majesty—an omission of a subject the notice of which, as he says, would have been very grateful to the people of India.

Address *agreed to*:—To be presented by Privy Councillors.

SUPPLY.

Resolved, That this House will, upon Monday next, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

WAYS AND MEANS.

Resolved, That this House will, upon Monday next, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.

PRISONS BILL.

LEAVE. FIRST READING.

MR. ASSHETON CROSS, in rising to move for leave to bring in a Bill to amend the Law relating to Prisons in England, said, he wished to remind the House that he introduced a Bill on that subject last Session, and after the very strong opinion which was expressed on the second reading by a majority of 200 in favour of the views of the Government on that matter, he would not take up the time of the House in explaining it again. But during the Recess he had had an opportunity of hearing what had been said about the Bill in the country, and he had thought it right to give expression in the measure itself rather more to what he had always stated had been the intentions of the Government—namely, to bring the visiting justices and the Home Secretary in more direct communication with each other. Some objection was taken last year to the appointment of what were called assistant Commissioners, and he presumed that it was imagined that those officials would ride rough-shod over the visiting justices. That was not so, as he had always stated; and he had retained the original name of "Inspectors," and had made such alterations in the Bill as would show to the visiting justices, at all events, that when they came to any conclusion on a point upon which there might be any variety of opinion, the minds of the Home Secretary and the assistant Commissioners should be exercised thereon. He had also inserted in the Bill certain words for carrying out what he had always said was the intention of the Government, that the Secretary of State should himself define what should be the duties of the visiting justices, in conjunction with himself, in the carrying on and management of prisons. Several Amendments, suggested by what had taken place last year, were well worthy of attention. For instance, a good deal was said about intermediate prisons, and the desirability of the

Secretary of State having a prison for every county; and in reference to that point, he had thought it right to provide that that Minister should have one prison in each county, unless there were some special reasons why he should think it unnecessary, and those reasons he would leave the Home Secretary to lay before the House. He did not think it right to take away summarily a gaol from a county. Some question had also been raised as to whether the Home Secretary had a right to make certain rules with respect to the hard labour of prisoners for the first three months of their sentence; and, though he still believed he had the legal power, he considered it better not to strain the statute, but to put in the Bill a special provision enabling the Secretary of State, under certain conditions, to remit the rigorous rule of hard labour with regard to the first tasks, and the first months of confinement, so as to make labour more industrial than penal. He had also inserted provisions enabling him to make certain regulations with respect to the food and treatment of prisoners in custody who were confined but not convicted, and for the purpose of regulating the treatment of persons who were imprisoned, not for criminal offences, but simply under order of the justices for non-payment of money. These were the main alterations of the Bill, the Preamble remained the same, and in carrying it into effect, it was the desire and intention of the Government to co-operate cordially with the visiting justices throughout the country. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. WHALLEY thought it would be discovered that there was not one of the Amendments of which the right hon. Gentleman had spoken which would be found in the Bill, and the whole object of the right hon. Gentleman could be effected by a mere communication from the Home Office to the visiting justices. The gigantic and almost unparalleled centralization introduced into prison management by the Bill was not called for by the voice of the country. The Return which he (Mr. Whalley) had obtained in answer to a Motion of last Session furnished the key to the right hon. Gentleman's whole position. A deliberate bribe was offered in the payment of a portion of the expenses out of the Imperial Exchequer, and the real object of the Bill was to give the Government an opportunity to appoint the prison chaplains. The right hon. Gentleman had given up the assistant Commissioners and all the other changes which were put forward on the ground of economy, but he would not surrender the right of appointing these chaplains. There were only 10 gaols in England in which Roman Catholic chaplains had been accepted, against 99 where they had been refused, which showed the beneficial action of the local authorities.

MR. NEWDEGATE said, that although not surprised at the re-introduction of the Bill, he nevertheless regretted it, because he thought that when a large majority in that House sanctioned the second reading of the measure last Session they had then hardly sufficiently considered the extent of the constitutional changes which it would effect. They ought to be careful how, by invading the province of the local authorities in the counties and boroughs, they might be sapping the foundations of the constitutional system which had grown up in this country, and paving the way for a system of centralization that had not been attended in France with a success which would justify us in rashly adopting it. The change proposed by that Bill, as he understood it, was that the visiting justices in the administration of prisons should cease to be, as heretofore, officers appointed by the Crown, directed by law, and under the supervision of the Lord Chancellor, and should become, *quoad* the administration of prisons, officers of the Home Secretary and the Government of the day. He was aware that since the abolition of transportation the accommodation in our convict prisons had grown wholly inadequate, and that it might be thought more economical to turn their county gaols into convict prisons than to erect new buildings at home or abroad. That was a consideration which, no doubt, ought to have due weight; but he rejoiced that the Bill was not passed last Session, as time was thus afforded both for the country and for Parliament to awaken to a sense of the important constitutional bearings of that measure.

MR. M'CARTHY DOWNING denied that there was any ground for apprehending any undue proportion of Roman Catholics being appointed as chaplains, and would remind the hon. Member for Peterborough (Mr. Whalley) that a Committee had reported two or three years ago that it should be compulsory on the magistrates to appoint Roman Catholic clergymen where a certain number of Catholic prisoners were confined, and that a Bill had been introduced in the House of Lords founded on that Report and passed without challenge, and was read a second time in this House, but was at last referred to that basket where the Innocents were destroyed.

Sir HARCOURT JOHNSTONE asked when the Bill would be in the hands of hon. Members?

Mr. MUNDELLA said, he did not gather from the right hon. Gentleman's statement whether he took powers under the Bill to control prison labour. It was to the interest of the prisoners that when they left prison they should be in possession of some handicraft whereby they could have recourse to honest labour when they were discharged.

Dr. KENEALY: I regret that the right hon. Gentleman has not made better provision for the internal regulation and management of prisons. I believe that in nearly all our prisons a vast amount of moral and physical torture is inflicted on prisoners that was never contemplated by law. A prisoner who makes any complaint never receives any redress for his grievance, although there is a pretence of a tribunal that will hear him. The right hon. Gentleman will remember that when complaints were made some time ago, with reference to the treatment of the Fenian prisoners, the Home Office for a long time was deaf, but was at length constrained by public opinion to grant an inquiry into those complaints. A Commission and Commissioners were appointed, and evidence was taken, and a Report published; but I am informed that the whole Irish people did not heed that Report, and that they still believe that the complaints were well founded. These observations are preliminary to my mention of a name which in this House, I am sorry to say, is always received with laughter, with mockery, and with scorn, but which, in the homes of hundreds of thousands of the people of this country, is never mentioned without exciting the deepest sympathy and sorrow. I have seen strong men shed tears, and women weep, even to hysterics, when they remembered—what they, at all events, considered to be—the enormities of the Tichborne Trial. I bring forward this subject, not in the interests of that unfortunate man alone, but in those of humanity; and in these interests I hope I shall be heard. I hold in my hand the copies of letters which have been written by two gentlemen, Messrs. Onslow and Helsby, who recently visited the prisoner in Dartmoor. The treatment and condition of that unhappy gentleman must awaken the sympathies of all persons who are really Christian men. I do not care whether they be Ortonites or Tichbornites; or how strongly they may feel against him; but I ask all in the name of humanity and common Christian charity to listen to the accounts given by these gentlemen, accounts which outdo in horror anything that we read of in foreign prisons. Mr. Onslow visited Sir Roger Tichborne in November last, and he thus describes the interview—

> "After waiting some twenty minutes in the lodge, we were beckoned to by a warder who conducted us down a yard, and told us to wait in a stone recess about three feet square, where we were speedily locked in. We observed in front of us, behind some gigantic iron bars, a similar recess, and then again another, like a wild beast's cage, into which was ushered the best abused man in England."

Now, here, Sir, I beg leave to ask, of what possible use, except to inflict cruel and unnecessary torture, it could be to immure persons behind iron bars of this description? It could not be for purposes of security, for precautions to the full are taken to secure that. When I was in Dartmoor with Mr. Onslow I learned that the warders who see to the prisoners have always their guns loaded, with orders to fire and kill them if they attempt to escape. It cannot therefore be against the risk of this, that prisoners are treated in this manner; and how harrowing it must be to the feelings of their friends or relatives, their wives or mothers or sisters, to see them exhibited "like wild beasts." Mr. Onslow goes on—

> "The warder occupied the centre compartment with watch in hand, keeping a vigilant eye on the minutes as they rapidly flew by, when he informed us 'time was up and we must go.' The poor prisoner expressed his pleasure at seeing us, and declared, with tears in his eyes, he had seen no one, or exchanged a single word with any one, since we last had met in May. I never saw

> him so utterly and completely broken-hearted with a face oh! so aged, he looked seventy; the iron had entered into his soul. He complained most bitterly at the cruel and malignant manner he had been treated by the authorities of the prison, and in feeble words choked with tears he implored us to convey to Dr. Kenealy his earnest desire that he should move in the House of Commons for an enquiry into the causes of the shameful treatment which he had experienced; he absolutely cried for justice, and was about to relate the cruelties he had suffered, when the warder intervened and informed him it was contrary to the rules of the prison to touch on those topics. But we saw quite enough to assure us that something dreadful had occurred that had wounded his feelings to the quick."

Now, Sir, I beg respectfully to call the right hon. Gentleman's attention to this matter; and I hope that in his present Bill he will provide anew for it. I hope his iron-barred dungeons will not be preserved; they can have no other object than to infuse misery into the soul of the prisoner. So, too, it appears that by the prison rules—and I am afraid that the right hon. Gentleman's Bill does not contemplate any alteration of these rules—if a prisoner's father or mother visits him, he is not allowed to give to that beloved relative any account whatever of the treatment which he receives from the prison authorities. I call that a very great grievance. I call it a grievous hardship for any man's mouth to be sealed up in that way: but no matter what insolence or tyranny he may have been subjected to in prison, he is absolutely forbidden to give any information to those persons who might bring it before the public, so that inquiry might be made, and the grievances, if true, be redressed. I ask the right hon. Gentleman's particular attention to what I am now going to read. If it be true, as suggested here, it is one of the greatest scandals.

MR. WHALLEY: I rise to Order. I wish to call attention to the fact that during the statement of the hon. Member for Stoke—a statement which I will not believe; if I did, I should deem it no satisfaction to sit in this House amongst the Gentlemen around me who are laughing at it; but it is at least worthy of attention, and is most harrowing to the minds of those men who listen to it—the right hon. Gentleman opposite (Mr. Cross) has been deliberately occupying himself by speaking to the hon. Member by his side.

MR. SPEAKER: I understood the hon. Member to rise to a point of Order. He has not stated the point of Order.

MR. WHALLEY: I beg pardon. It is intended to attract the right hon. Gentleman's attention to what I think concerns the honour of this country.

DR. KENEALY: Sir, I have made no complaint. I am bound, in justice to the right hon. Gentleman, to say that whenever I have called his attention, as I have already, to any particular portion of this letter, he has listened. The passage which I now read has not been suggested by the prisoner, because, as we have already seen, he was forbidden to complain; but it is the common talk at Dartmoor and the neighbourhood, and has probably its foundation in what the prison warders have themselves said—

> "Report says he has been subjected to the indecent inspection of his person for mere motives of curiosity to see the malformation which undoubtedly existed in Mr. Roger Tichborne; whether this report is true or not I cannot say, but we heard sufficient from the Claimant himself to show us that an immediate inquiry is necessary."

Sir, I can only say that if this horrible story be true, and if the prisoner has been, indeed, subjected to this indecent treatment, that it is the incumbent duty of the right hon. Gentleman to make immediate inquiry; and if he finds it to be true, I hope he will visit it with his marked displeasure. Mr. Onslow continued—

> "The miserable and wretched box we were forced to stand in for twenty minutes was a disgrace to a civilized country; the dungeons of Spielberg, and the strangers' room in the vaults of the convict prisons of Naples, were comfortable in comparison, and what a contrast to the kindness and civility which we have always experienced at the hands of the late governor of the gaol, Major North, who always placed his private room at our disposal on every occasion of our former visits. It was so dark in this detestable and abominable place I could scarcely see to read out the questions I had taken the precaution to write."

Sir, the right hon. Gentleman must know whether or not this is a true description of those particular dungeons in Dartmoor in which prisoners are exhibited. I say that no man, no matter what crime he may have committed, ought in this England of ours, which affects to be so free, and professes to be so civilized and humane, to be shown to any of the outside world in dungeons of this description. I do not see the right hon. Gentleman the Member for Greenwich in his place; but I remember how he excited the anger, the indignation, and the sympathy of the whole country when, some years ago, he published a volume describing the atrocities that were perpetrated in the Neapolitan dungeons under the late Monarchy: but I say that there is nothing in Mr. Gladstone's volume, and nothing that the Italian lawyer, Pœrio, fled from, that was a greater disgrace to a civilized and professedly Christian country than dungeons such as those that Mr. Onslow described existing among ourselves. It might be said that Mr. Onslow was a man of sanguine temperament; and that he probably saw things under the influence of an over-heated fancy, but his statement was fully corroborated by Mr. Helsby, who accompanied him. Now, I know Mr. Helsby, and I can say that a man of more clear, calm, and collected judgment England does not possess; or one less likely to exaggerate in the least what he saw. And thus Mr. Helsby describes this painful scene—

> "We entered the prison about 2 o'clock, Mr. Onslow giving our names to the authorities, but it seems that both the governor and deputy governor were absent. After waiting several minutes we were introduced into a sort of cage and the door closed on us; there was barely room for the three to stand abreast of each other in front of the iron bars which faced us, nearly as thick as one's wrist; then came a passage into which entered the warder by another door; beyond the warder another row of thick iron bars, and beyond that, as it were in another cage, Tichborne was shown like a wild beast in a menagerie; as he stood leaning with his arms on the stone wall that supported the iron bars, his face was illuminated from a small window on his right hand side, this being the only light in either of the compartments. I did not remove my eyes from him during the time Mr. Onslow asked and received answers to sundry questions —excepting to glance occasionally at the warder, who stood with his watch in hand during the twenty minutes this painful interview lasted—when he had finished I read a message from his wife, who denied ever having been near the prison with little Roger, or making any attempt to get permission from the authorities to do so. He was much affected when I told him that I had kissed his children for him before leaving home. Tichborne is slightly stouter than when I saw him in November last year, but he looks considerably older. I observed that his neck was much swollen, and a number of sores or ulcers round his throat—one on the right hand side appearing to be about the size of a sixpence. I have no doubt at all that he is being cruelly treated by his task-masters—and he would have told us all particulars, if he had been free to speak—but the warder prevented it, and informed him that it was against the rule of the prison to make any communication. He replied that he would not and did not wish to break any rules; and so confined himself to imploring and beseeching us in strong and earnest tones to ask Dr. Kenealy or some other kind friend to move the House of Commons for a Commission of Inquiry into the matter. From the nature of the various rumours current in Plymouth, coupled with the prisoner's protestations, the request is nothing but a reasonable and just one, as I am quite sure that he would not complain without good grounds. Although the enemies of this unfortunate man have placed him beyond the pale of the law, they have no right to attempt to put him beyond the pale of humanity. We besought him to have courage and to place confidence and faith in God—that we represented the feeling and sympathy of countless thousands of true-hearted Englishmen and women, who would never abandon him or his cause; he seemed to quite understand that, and expressed his gratitude, but at the same time he is of opinion that he is in his living tomb—'For you may depend upon it,' he said, 'that after spending so many hundreds of thousands of pounds by the Government to get me here, they never intended to let me out again.'"

Sir, I must ask the House whether this is not perfectly dreadful? Was it ever contemplated by the Legislature that prisoners sentenced to servitude were to be thus shown covered with sores and ulcers? If the great philanthropist of the last century, Howard, were now alive, and were to visit Dartmoor, in what burning language he would put forth the indignation of his soul at scenes like this!—language that would produce such an effect, that the right hon. Gentleman, even with his powerful majority, would have to yield to, and abandon the maintenance of such an institution. With the greatest respect for the right hon. Gentleman, and confidence in his spirit of justice, which I hope is not destroyed by his being a Cabinet Minister, I put it to him, whether he will not, for the sake—for the honour of our common country, in the interests of common humanity also, do something by his Prisons Bill to prevent the possibility of recurrences of this kind. I believe, from all I have heard, that they are substantially true: and I again entreat the right hon. Gentleman to make such provision in his Bill as will effectually prevent its being in the power of bad and cruel-hearted men—for such are sometimes appointed under Governments—to render the life of a prisoner a perfect hell upon earth.

Mr. ASSHETON CROSS, in reply, said, he hoped the Bill would be in the hands of hon. Members to-morrow morning, or on Monday at the latest. With regard to the question put by the hon. Member for Sheffield (Mr. Mundella), the whole question of prison discipline was carefully discussed in 1865, and certain rules and regulations were then laid down. He had not interfered with the Act of 1865, except to this extent—that whereas at present the very stringent terms of that Act with regard to penal labour could not be relaxed under a period of three months, he had taken power to have them relaxed after one month, if the conduct of the prisoner would warrant such relaxation. With regard to the question of industrial labour interfering with the smaller trades throughout the country, that was a question which had been for some time under his most careful consideration. He had been in communication personally with gentlemen who were well acquainted with the subject, and he hoped to be able to put the matter on a satisfactory footing—at all events, when all the gaols were in one hand—by taking care that the employment was of a sufficiently varied character and by inducing Government to adopt the judicious course of supplying its own wants, as far as possible, by means of prison labour. The making of clothing for the Metropolitan Police had been carried on in some of the prisons with great advantage, and, in connection with labour of this sort, there was the satisfaction of knowing that the prisoners engaged in it were learning a trade which they would be able easily to carry on when they were set at liberty. With regard to what the hon. Member for Stoke (Dr. Kenealy) had said as to the treatment of a particular prisoner, he could only say that no complaint of the kind had ever reached him, and that he did not think it possible such a complaint could be true. With regard to the cell accommodation in convict and county and borough prisons, he could honestly say that the cells were kept thoroughly warm and well ventilated, and, as far as places of that kind could be, they were comfortable and provided with everything that was necessary. He rather gathered from the hon. Member that Mr. Onslow found fault, not with the cells in which the prisoners were confined, but with the places in which they were allowed to see their friends and those who visited them. Dartmoor, he (Mr. Assheton Cross) was sorry to say, was one of the prisons he had not yet personally visited, and, therefore, he was not able to say what was the fact as to the bars which had been mentioned. He would, however, remind the House that the character of the persons ordinarily confined in convict prisons was such that it was absolutely necessary to have them separated from their visitors in such a manner as to prevent the latter from passing to them tools with which they might effect their escape, or any other articles of an improper character. He would, however, make inquiry as to Dartmoor, and hoped to be able to show that there had been nothing unusual in the treatment of the prisoner mentioned by the hon. Member. The prisoner in question had undoubtedly had the advantage of every medical advice that could be given, and extra food and comforts had been more than once allowed him. He could assure the hon. Member that nothing would induce him (Mr. Assheton Cross) for one moment to allow that particular prisoner, or any prisoner, to be treated in any harsh manner, or in any manner different from that in which other prisoners were treated; and if he found the rules of the prison had been disregarded in that respect the offenders should be visited with his severe displeasure. He would also remind the hon. Member that the visiting justices who would go round to the gaols from time to time would have the fullest opportunity of hearing any complaints which might be made, and of setting matters right if those complaints were well founded. He deeply regretted that he differed from the hon. Member for North Warwickshire (Mr. Newdegate) on this point. The objection of the hon. Member was similar to the one he made to the Act of 1865; but no one who compared the state of the prisons then with their condition now would find that the centralization, which undoubtedly existed under the present law, had produced any evil effect on the country. He relied most confidently upon the assistance of the local visiting justices to carry out the Bill, which he now asked permission to introduce.

Motion *agreed to.*

Bill to amend the Law relating to Prisons in England, *ordered* to be brought in by Mr. Secretary CROSS and Sir HENRY SELWIN-IBBETSON.

Bill *presented*, and read the first time. [Bill 1.]

UNIVERSITIES OF OXFORD AND CAMBRIDGE BILL.

LEAVE. FIRST READING.

Mr. GATHORNE HARDY, in moving for leave to bring in a Bill to make further provision respecting the Universities of Oxford and Cambridge and the Colleges therein, said, he would not detain the House by entering into the details of the measure. Last year there had been some difficulty in regulating the order of debate in consequence of the desire shown by both Oxford and Cambridge men to address the House on the subject, which was dealt with in two separate measures. To obviate that inconvenience he had deemed it better to combine both Bills in one, and it was in that shape he intended to introduce the proposals of the Government this Session.

Mr. BERESFORD HOPE said, that last year he welcomed with great pleasure the fact that the two Universities were treated in two Bills, because, as a Cambridge man, he could not help seeing how that University had often been put at a disadvantage, both in that House and elsewhere, by the idea of dealing with it as a duplicate Oxford. Oxford produced politicians, and Cambridge Judges, and so in Parliament the former was apt to have more than its due influence. It was forgotten that they were independent in their origin, their traditions, their constitution, and their means of working. Because there had been two Bills the claims of the two Universities were, last Session, well put before Parliament. He trusted that any provision affecting either Oxford or Cambridge which might be adopted would not therefore be taken for granted in the case of the other as analogous in its application. With that protest in favour of fair play and of sufficient consideration for the University of Cambridge, he could only now express his fervent hope that as there was considerable discussion last year the House would deal with this Bill with all possible speed.

Mr. OSBORNE MORGAN asked whether the Commissioners named in the Bills of last Session were the same as it was now proposed to appoint, and if not, whether the Bill, when printed, would contain the names of the new Commissioners?

Mr. LYON PLAYFAIR wished to know whether, as the House was now informed that there was to be but one Bill, there would be two separate Commissions for the Universities or only one National Commission?

Mr. STAVELEY HILL asked when the Bill would be in the hands of hon. Members?

Mr. GATHORNE HARDY, in reply, trusted that, with the assistance of the Cambridge statesmen and Oxford politicians, both Universities would have their due honour, and that the provisions for the two Universities should be separately maintained, so far as was necessary. With respect to the Commissioners, they would not be altogether the same, but their names would appear in the Bill. There would not be a National Commission, but two separate Commissions, as proposed last year. There had been a little delay in printing the Bill, owing to the absence of Lord Salisbury, and he could not say exactly when it would be ready. He hoped to take the second reading on Monday week.

Motion *agreed to.*

Bill to make further provision respecting the Universities of Oxford and Cambridge, and the Colleges therein, *ordered* to be brought in by Mr. Secretary Hardy, Mr. Secretary Cross, and Mr. Walpole.

Bill *presented,* and read the first time. [Bill 2.]

PRISONS (IRELAND) BILL.

LEAVE. FIRST READING.

Sir MICHAEL HICKS-BEACH, in moving for leave to bring in a Bill to amend the Law relating to Prisons in Ireland, said, he should not detain the House by arguing in support of the principle of the measure, but would point out the differences between the proposals he was about to make and those contained in the Bill of his right hon. Friend (Mr. Assheton Cross). Much of the scheme was not new, for an Irish Prison Bill had been brought under the notice of the House by more than one of his Predecessors in office, although they did not go so far in the direction of reform as was now proposed. The idea of the large reform now contemplated originated with the late Lord

Mayo, who interested himself greatly in the management of prisons in Ireland, as well as in India. The number of county and borough prisons in Ireland, properly so called, was not so excessive as was the case in England. His right hon. Friend had on previous occasions informed the House of the great number of county and borough prisons in England, and he should follow his example by quoting some figures with respect to Ireland. In Ireland there were in 32 counties 38 county and borough prisons; being one in each county, except Tipperary, in which there were two; two in the city of Dublin, one in Drogheda city, while Cork and Limerick had each a separate city prison. In those 38 prisons he found that there was in 1875 a daily average number of prisoners in custody amounting to 2,741, the net cost of the gaols for the year being £94,658. He thought it would be admitted, even looking at the matter solely as it concerned county and city prisons, that there was great room for the adoption of a more economical and efficient system. They had in Ireland nearly the same difference as in England in the annual cost of maintenance of prisoners in the large and small gaols. He found that in Antrim Gaol, which included Belfast, the annual average cost of each prisoner was £17. In the county of Carlow, with an annual daily average of only 15 prisoners, the average annual cost of each prisoner was £91; in the county of Leitrim, with an average of 20 prisoners, the annual cost was £70; and in the county of the town of Drogheda, with a daily average of 15 prisoners, the annual cost was £34; and in Sligo, with a daily average of 22, the annual cost was £82. In Carlow, to 15 prisoners there were 13 officers, and in Leitrim with 20 prisoners there were 14 officers, and in Sligo 23 prisoners to 14 officers; he could, if necessary, quote further figures, which showed that there was the same room for economy in this matter as in England. In regard to industrial labour, Carlow gaol returned the profit of prison labour as *nil;* £6 was returned for Leitrim gaol during the last year. Passing from county and city prisons to others which were known only in Ireland, which were called bridewells, in these the necessity of reform was even more imperative than in the former class of gaols. Bridewells did not exist in every county. There were as many as five counties in which there was not one. These prisons consisted of three classes—the district, the certified, and the ordinary bridewell; and they were used mainly as places where persons were locked up for a time on remand, but also to a small extent as places for the detention of convicted prisoners. In ordinary bridewells sentenced prisoners might be detained for short periods, not exceeding 48 hours. He could conceive nothing worse than the practice of imprisoning men in these little prisons for such short terms; he doubted the use of any sentence for less than seven days, and he could imagine no reason why men sentenced to imprisonment for seven days and upwards should not be sent to the larger prisons, which were, by means of the railways, brought within a fair distance of every part of Ireland. There might be one or two places in which these smaller prisons might be required, but, as a rule, they were entirely unnecessary, and to detain sentenced prisoners in such places would prevent their punishment from exercising a proper moral and deterrent effect. In many of these bridewells, owing to a defect in the law as to the appointment of a matron, there was no female official whatever. The female prisoners were, therefore, left to the care of male officers —who, of course, were frequently unmarried—and the abuses which occurred in consequence would easily be imagined. Many of these shorter sentences of 48 hours' imprisonment were imposed for drunkenness, and, in his opinion, they did more harm than good. Anybody who had studied the judicial statistics of Ireland would have noticed with regret the terrible increase of the offence of drunkenness in that country. He was bound to say that, in his opinion, this was not a little owing to the mistaken leniency of the magistrates who frequently imposed infinitesimal fines, and absurdly short and unsatisfactory terms of imprisonment for this offence. But bridewells were mainly used us places of remand, and some local provision for this purpose would still be required. No doubt, in many cases of serious crime, remands, even for lengthened periods, were absolutely necessary. In such case, however, for safe custody as well as for other reasons it was much better that prisoners under remand should be committed to the ordinary prisons. In other cases of short remand, a simple committal to the police cells, as in England, would suffice. Many of the constabulary barracks were already provided with suitable cells, and some of the bridewells might be handed over to the constabulary and utilized for this purpose. He proposed by a clause in the Bill to secure that any county in which "lock-up" accommodation of this kind was deficient should provide such accommodation at its own expense. This provision was based on a similar principle to that in the English Bill, that counties and boroughs in which sufficient accommodation for their prisoners was not provided should pay so much per cell for their prisoners. The main point of difference between this and the English Bill was one in regard to which he might suggest, that the Irish measure would be more complete, simple, and satisfactory than the English Bill: though from the larger population and greater number of gaols and prisoners in England a similar arrangement would probably not be practicable there. In Ireland at present the convict prisons were managed by what was legally a Board, but all the power was really vested in a single Director. A former Act gave the power to appoint as many as three Directors of Convict Prisons; but some years ago the Government, looking to the number of convicts and the work to be done, reduced the number of Directors from three to one. Circumstances, however, might arise, such as, for instance, the transfer of the convicts at present located at Spike Island to places better adapted for them, which would impose far greater labour and responsibility upon one Director than a single individual could properly and adequately perform. For many reasons, indeed, the management of the prisons ought not to be entirely left to one individual, and he should propose to vest the convict prisons and the ordinary prisons in a single Board, subject to the control of the Lord Lieutenant, who would be represented in the House of Commons by his Chief Secretary. Besides the three Directors of Convict Prisons and the two Inspectors-General of County Prisons there were two other offices legally existing in Ireland—the Inspectorship of Industrial and Reformatory Schools, and the Registrarship of Habitual Criminals; but the duties of the first office were now performed by one of the Inspectors-General of County Prisons, and those of the second by the Director of Convict Prisons. The powers exercised by these officers would also be vested in the Prisons Board, and thus the whole prison system of the country, including the Industrial and Reformatory Schools, would be vested in one Board. He believed that the economy, uniformity, and simplicity which would be secured by the Bill would commend the measure to the approval of Parliament. In addition to the differences which he had stated, there were some minor alterations which would be proposed in the Irish Prison Law, mainly in the direction of assimilating it with that of England. He would add that the Bill of last year contained no limitation of the power given to the Lord Lieutenant to close all prisons in a county. He now proposed to place some check on that power by requiring that in cases where the Lord Lieutenant might issue an Order to close the only prison in any county, the Order should be laid before Parliament within a certain period. He had now gone through the principal features of the measure, and he had only to thank the House for the attention which it had given to his explanation, and to move for leave to bring in the Bill.

Mr. O'REILLY was of opinion that it was indispensable to secure the Industrial Schools from being brought under the management of the Prisons Board. Schools of such a nature ought not to be associated with the management of a Prisons Board, and any connection with the prisons would necessarily attach a certain amount of discredit to them.

Motion *agreed to.*

Bill to amend the Law relating to Prisons in Ireland, *ordered* to be brought in by Sir Michael Hicks-Beach and Mr. Solicitor General for Ireland.

Bill *presented,* and read the first time. [Bill 3.]

PRISONS (SCOTLAND) BILL.

LEAVE. FIRST READING.

The LORD ADVOCATE, in rising to move for leave to bring in a Bill for amending the Law relating to Prisons in Scotland, said: The principles of the Bill are the same as those on which the measures relative to England and Ireland have been framed, and therefore I need not occupy the time of the House on that subject. We have been reducing the number of our prisons in Scotland very greatly of late years. Thirty years since we had 200 of those institutions, and they have been reduced to 56, of which 55 are managed by Local Boards. There are still a great deal too many of these local prisons. Some at times are nearly empty; others contain a population of not more than from five to ten at a time; and I believe the result of this measure would be to reduce the number very considerably, and to promote very largely economy and efficiency in the maintenance of those establishments. Since 1860, the date of our General Act, the local prisons of Scotland have been exclusively managed under rules framed by the Secretary of State, and the system so arranged has given great satisfaction. That system will be virtually continued. The Act of 1860 has been amended no fewer than three times by Acts of Parliament, and I may explain, in conclusion, that in framing this Bill we have endeavoured to bring the whole legislation in regard to prisons in Scotland within the compass of one statute.

Motion *agreed to.*

Bill to amend the Law relating to Prisons in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.

Bill *presented*, and read the first time. [Bill 4.]

JUSTICES OF PEACE, &c. (CLERKS' FEES.)

LEAVE. FIRST READING.

SIR **HENRY SELWIN-IBBETSON**, in rising to move for leave to bring in a Bill to amend the Law with respect to the Appointment, Payment, and Fees of Clerks of Justices of the Peace and Clerks of Special and Petty Sessions, said, that as far back as 1851 the question and the payment of these clerks by fees instead of salaries was raised, and a clause was passed enabling localities to adopt that mode of payment. The change was obviously desirable in many cases in which the fees were far in excess of the penalty inflicted, or intended to be inflicted, by the magistrates, and where this was the case people got an idea that the magistrates were urged to convict by the clerks for the sake of their own profit. More recently, and particularly in 1872, attempts were made to render compulsory the payment of clerks by salary, and almost all the resistance they met with was due to differences of opinion about uniformity of fees, which, however desirable, was practically impossible. The salaries of the clerks to the Justices were often in excess of the fees received in their districts, and the Bill was framed to meet the inevitable differences between rural and populous districts, and would call upon some localities to submit fresh tables of fees to the Home Secretary.

Motion *agreed to.*

Bill to amend the Law with respect to the Appointment, Payment, and Fees of Clerks of Justices of the Peace and Clerks of Special and Petty Sessions, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. Secretary CROSS.

Bill *presented*, and read the first time. [Bill 5.]

BUSINESS OF THE HOUSE.

Resolved, That whenever notice has been given that Estimates will be moved in Committee of Supply and the Committee stands as the first Order of the Day upon any day except Thursday and Friday, on which Government Orders have precedence, the Speaker shall, when the Order for the Committee has been read, forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee, unless on going into Committee on the Army, Navy, or Civil Service Estimates respectively, an Amendment be moved relating to the division of Estimates proposed to be considered on that day.—(*Mr. Chancellor of the Exchequer.*)

COMMITTEE ON PRINTING.

MR. **W. H. SMITH** moved that the Select Committee to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House, do consist of—Mr. Spencer Walpole, Mr. Henley, The O'Conor Don, Mr. Hunt, Mr. Stansfeld, Mr. Sclater-Booth, Mr. Dodson, Mr. Massey, Mr. Whitbread, and Mr. William Henry Smith.

MR. **BUTT** complained of the constitution of the Committee, and regretted that the practice of excluding Irish Members from the composition of Committees of the House was to be continued. He contended that it was desirable that every Committee should represent each section of the House. He was by no means satisfied with the composition of this Committee, and he hoped the hon. Gentleman would postpone his Motion for a day or two, for he should like to have a short conversation with him in private, in order that a satisfactory arrangement might be come to on this point.

Mr. W. H. SMITH said, he had no objection to postpone the nomination of the Committee if it was the desire of the hon. and learned Member, but he would remind him that the names of the hon. Members whom he proposed were names that had been on the Committee for more than one Parliament, and their duties were almost nominal.

Motion *postponed.*

SUMMARY PROSECUTIONS BILL.

LEAVE. FIRST READING.

Mr. HOPWOOD, in moving for leave to bring in a Bill to amend the Law relating to Summary Procedure before Justices; to extend the right of Appeal in certain cases; and for other purposes, said, the Bill proposed to deal with a great number of unnecessary committals to prison which were forced on magistrates by the present law. About one-third of the 90,000 persons now imprisoned were committed, not because they had committed crime, but because they were unable to pay fines. If the magistrates could grant them indulgence and allow them to pay fines by instalments, that would in many cases prevent the inflicting imprisonment. The Bill would also provide that in all cases of committal to gaol there should be an appeal to a superior Court, and abolish the right of the magistrate to commit for longer periods than six months on a cumulative series of convictions. It would also afford some relief to persons who were kept in prison for want of bail and sureties.

Mr. ASSHETON CROSS said, that he would not oppose the introduction of the Bill, but he had stated last year that it was the intention of the Government to introduce a Bill dealing with this subject. The question was also mentioned in the Queen's Speech, but to that circumstance the hon. and learned Member had not adverted. He (Mr. Cross) hoped that at any rate the hon. and learned Member would not proceed with the second reading of the Bill until after the introduction of the Government measure.

Motion *agreed to.*

Bill to amend the Law relating to Summary Procedure before Justices; to extend the right of Appeal in certain cases; and for other purposes, *ordered* to be brought in by Mr. Hopwood, Mr. Mundella, and Mr. Burt.

Bill *presented,* and read the first time. [Bill 9.]

STANDING ORDERS.

Select Committee on Standing Orders *nominated:*—Mr. Bruen, Sir Edward Colebrooke, Mr. Cubitt, Mr. Floyer, Mr. Thomson Hankey, Mr. Howard, Sir Graham Montgomery, Mr. Mowbray, The O'Conor Don, Mr. Rodwell, and Mr. Whitbread.

SELECTION.

Committee of Selection *nominated:* — Mr. Floyer, Mr. Thomson Hankey, Sir Graham Montgomery, The O'Conor Don, Mr. Whitbread, and the Chairman of the Select Committee on Standing Orders.

PRINTING.

Select Committee *appointed,* "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House."—(*Mr. William Henry Smith.*)

And, on February 12, Committee *nominated* as follows:—Mr. Spencer Walpole, Mr. Henley, The O'Conor Don, Mr. Hunt, Mr. Stansfeld, Mr. Sclater-Booth, Mr. Dodson, Mr. Massey, Mr. Whitbread, Mr. Mitchell Henry, Mr. M'Laren, and Mr. William Henry Smith:—Three to be the quorum.

VOLUNTEER CORPS (IRELAND) BILL.

On Motion of Mr. O'Clery, Bill to authorise the enrolment of Volunteer Corps in Ireland, established on the principle and subject to the regulations controlling the various Corps at present existing throughout Great Britain and the Colonies, *ordered* to be brought in by Mr. O'Clery, Captain Nolan, and Lord Francis Conyngham.

Bill *presented,* and read the first time. [Bill 6.]

CRUELTY TO ANIMALS BILL.

On Motion of Mr. Holt, Bill for the more effectual prevention of Cruelty to Animals, *ordered* to be brought in by Mr. Holt, Mr. Hardcastle, and Mr. Charles Wilson.

Bill *presented,* and read the first time. [Bill 7.]

NEWSPAPERS REGISTRATION BILL.

On Motion of Mr. WADDY, Bill to provide for the Registration of Newspapers, and to amend the Law relating to Libels therein, *ordered* to be brought in by Mr. WADDY, Sir CHARLES RUSSELL, and Mr. COLE.

Bill *presented*, and read the first time. [Bill 8.]

TERRITORIAL WATERS JURISDICTION BILL.

On Motion of Mr. GORST, Bill to declare that the power and jurisdiction of Her Majesty extend to a distance of three miles seawards from the Sea Coasts of Her Dominions, and to make better provision for the administration of Justice, *ordered* to be brought in by Mr. GORST, Mr. RITCHIE, and Sir HENRY WOLFF.

Bill *presented*, and read the first time. [Bill 10.]

TOWN COUNCILS AND LOCAL BOARDS BILL.

On Motion of Mr. MUNDELLA, Bill to amend the Law relating to the qualification for Members of Town Councils and Local Boards, *ordered* to be brought in by Mr. MUNDELLA, Mr. CHAMBERLAIN, Mr. BURT, and Mr. MORLEY.

Bill *presented*, and read the first time. [Bill 11.]

ECCLESIASTICAL OFFICES AND FEES BILL.

On Motion of Mr. COWPER-TEMPLE, Bill to reform certain Ecclesiastical Offices and to regulate Ecclesiastical Fees, *ordered* to be brought in by Mr. COWPER-TEMPLE and Mr. RUSSELL GURNEY.

Bill *presented*, and read the first time. [Bill 12.]

INTOXICATING LIQUORS (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to the sale by retail of Intoxicating Liquors in Scotland.

Resolution *reported:* — Bill *ordered* to be brought in by Sir ROBERT ANSTRUTHER, Dr. CAMERON, Mr. DALRYMPLE, Mr. MAITLAND, and Mr. JENKINS.

Bill *presented*, and read the first time. [Bill 13.]

ENTAILS AND SETTLEMENTS LIMITATION BILL.

On Motion of Mr. SHAW LEFEVRE, Bill to restrict the power of Entailing and Settling Land and other Property, *ordered* to be brought in by Mr. SHAW LEFEVRE, Mr. BEAUMONT, Mr. OSBORNE MORGAN, Mr. HERSCHELL, and Mr. GOLDSMID.

Bill *presented*, and read the first time. [Bill 14.]

PARLIAMENTARY REGISTRATION (IRELAND) BILL.

On Motion of Mr. MITCHELL HENRY, Bill to amend the Law relating to the Registration of Parliamentary Voters in Ireland; to facilitate the obtaining the franchise by persons entitled; and for other purposes, *ordered* to be brought in by Mr. MITCHELL HENRY and Mr. MELDON.

Bill *presented*, and read the first time. [Bill 15.]

ANCIENT MONUMENTS BILL.

On Motion of Sir JOHN LUBBOCK, Bill to provide for the protection of Ancient Monuments, *ordered* to be brought in by Sir JOHN LUBBOCK, Mr. BERESFORD HOPE, Mr. RUSSELL GURNEY, and Mr. OSBORNE MORGAN.

Bill *presented*, and read the first time. [Bill 16.]

WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. JACOB BRIGHT, Bill to remove the Electoral Disabilities of Women, *ordered* to be brought in by Mr. JACOB BRIGHT, Sir ROBERT ANSTRUTHER, Mr. RUSSELL GURNEY, and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 17.]

METROPOLIS TOLL BRIDGES BILL.

On Motion of Sir JAMES HOGG, Bill to provide for throwing open for the free use of the public certain Toll Bridges within the Metropolis, *ordered* to be brought in by Sir JAMES HOGG, Sir CHARLES RUSSELL, Sir HENRY PEEK, Sir TREVOR LAWRENCE, Mr. Alderman M'ARTHUR, and Mr. FORSYTH.

Bill *presented*, and read the first time. [Bill 18.]

FRANCHISE EXTENSION (IRELAND) BILL.

On Motion of Mr. BIGGAR, Bill for the Extension of the Franchise in Ireland, *ordered* to be brought in by Mr. BIGGAR, Mr. O'SHAUGHNESSY, Mr. O'GORMAN, Mr. RICHARD POWER, and Mr. PARNELL.

Bill *presented*, and read the first time. [Bill 19.]

THESHING MACHINES BILL.

On Motion of Mr. CHAPLIN, Bill for the Prevention of Accidents by Threshing Machines, *ordered* to be brought in by Mr. CHAPLIN and Mr. CLARE READ.

Bill *presented*, and read the first time. [Bill 20.]

LAND TENURE (IRELAND) BILL.

On Motion of Mr. BUTT, Bill to amend the Laws relating to the Tenure of Land in Ireland, *ordered* to be brought in by Mr. BUTT, Mr. DOWNING, Mr. RICHARD SMYTH, Mr. MELDON, and Mr. ENNIS.

Bill *presented*, and read the first time. [Bill 21.]

LOCOMOTIVES ON COMMON ROADS BILL.

On Motion of Colonel CHAPLIN, Bill for regulating the use of Locomotives on Common Roads, and for consolidating the various Statutes relating thereto, *ordered* to be brought in by Colonel CHAPLIN, Mr. CHARLES PRAED, and Mr. SAMUELSON.

Bill *presented*, and read the first time. [Bill 22.]

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL.

On Motion of Sir HENRY WOLFF, Bill to relieve certain Occupiers of Dwelling Houses from being Disqualified from the right of Voting in the Election of Members to serve in Parliament by reason of their underletting such Dwelling

Houses for short terms, *ordered* to be brought in by Sir HENRY WOLFF, Sir CHARLES RUSSELL, Sir CHARLES LEGARD, Mr. ONSLOW, and Mr. RYDER.

Bill *presented*, and read the first time. [Bill 23.]

INTOXICATING LIQUORS (LICENSING BOARDS) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the Election of Boards for granting Licences for the Sale of Intoxicating Drinks.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. JOSEPH COWEN, Sir HENRY HAVELOCK, Mr. NORWOOD, Mr. BURT, and Mr. ERNEST NOEL.

Bill *presented*, and read the first time. [Bill 24.]

GAME LAWS (SCOTLAND) AMENDMENT BILL.

On Motion of Mr. M'LAGAN, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Mr. M'LAGAN, Sir WILLIAM STIRLING MAXWELL, Sir EDWARD COLEBROOKE, and Mr. JOHN MAITLAND.

Bill *presented*, and read the first time. [Bill 25.]

CROSSED CHEQUES ON BANKERS BILL.

On Motion of Mr. HUBBARD, Bill to amend the Law relating to Crossed Cheques on Bankers, *ordered* to be brought in by Mr. HUBBARD, Mr. GOSCHEN, Mr. Alderman COTTON, and Mr. TWELLS.

Bill *presented*, and read the first time. [Bill 26.]

PLUMSTEAD COMMON PRESERVATION BILL.

On Motion of Mr. BOORD, Bill for the preservation of Plumstead Common, *ordered* to be brought in by Mr. BOORD, Sir CHARLES MILLS, Sir CHARLES DILKE, and Mr. GOLDSMID.

Bill *presented*, and read the first time. [Bill 27.]

UNION JUSTICES (IRELAND) BILL.

On Motion of Mr. O'SULLIVAN, Bill for the better administration of justice at Petty Sessions Courts in Ireland, *ordered* to be brought in by Mr. O'SULLIVAN, Captain NOLAN, Mr. RICHARD POWER, and Mr. O'BYRNE.

Bill *presented*, and read the first time. [Bill 28.]

COLONIAL MARRIAGES BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to declare Legal in the United Kingdom certain Colonial Marriages which are Legal in the Colonies by Acts of the several Legislatures, sanctioned by the Crown, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN, Mr. RUSSELL GURNEY, and Sir THOMAS CHAMBERS.

Bill *presented*, and read the first time. [Bill 29.]

CHURCH RATES ABOLITION (SCOTLAND) BILL.

On Motion of Mr. M'LAREN, Bill to abolish Church Rates in Scotland, *ordered* to be brought in by Mr. M'LAREN, Dr. CAMERON, Mr. BAXTER, Mr. TREVELYAN, Mr. GRIEVE, Mr. LAING, and Sir GEORGE BALFOUR.

Bill *presented*, and read the first time. [Bill 30.]

BANNS OF MARRIAGE (SCOTLAND) BILL.

On Motion of Dr. CAMERON, Bill to abolish the system of proclaiming Banns of Marriage presently in force in Scotland, and to make better provision for the due publication of such Banns in Scotland, *ordered* to be brought in by Dr. CAMERON, Mr. BAXTER, Mr. BARCLAY, Mr. M'LAREN, Mr. EDWARD JENKINS, and Mr. ERNEST NOEL.

Bill *presented*, and read the first time. [Bill 31.]

HYPOTHEC (SCOTLAND) BILL.

On Motion of Mr. AGNEW, Bill to abolish the Landlord's right of Hypothec in Scotland as far as relates to Agricultural subjects, *ordered* to be brought in by Mr. AGNEW, Sir WILLIAM STIRLING MAXWELL, Mr. BAILLIE HAMILTON, and Sir GEORGE DOUGLAS.

Bill *presented*, and read the first time. [Bill 32.]

UNION RATING (IRELAND) BILL.

On Motion of Sir JOSEPH M'KENNA, Bill to amend the Law in relation to Union Rating in Ireland, *ordered* to be brought in by Sir JOSEPH M'KENNA, Mr. COLLINS, Mr. O'CLERY, and Dr. WARD.

Bill *presented*, and read the first time. [Bill 33.]

LOCAL GOVERNMENT IN TOWNS (IRELAND) BILL.

On Motion of Mr. BRUEN, Bill to reform and assimilate the systems of Local Government in force in towns in Ireland, *ordered* to be brought in by Mr. BRUEN and Sir ARTHUR GUINNESS.

Bill *presented*, and read the first time. [Bill 34.]

CONGE D'ELIRE BILL.

On Motion of Mr. MONK, Bill to abolish the Congé d'élire and to make provision for the appointment and consecration of Archbishops and Bishops in England and Wales, *ordered* to be brought in by Mr. MONK, Mr. FORSYTH, Sir THOMAS CHAMBERS, and Mr. ASHLEY.

Bill *presented*, and read the first time. [Bill 35.]

BURIALS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Burial Laws.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. OSBORNE MORGAN, Mr. SHAW LEFEVRE, Mr. Alderman M'ARTHUR, and Mr. RICHARD.

Bill *presented*, and read the first time. [Bill 36.]

INTOXICATING LIQUORS (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for the Regulation of the Sale of Intoxicating Liquors in Ireland.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. SULLIVAN and Mr. DEASE.

Bill *presented*, and read the first time. [Bill 37.]

REGISTRATION OF BOROUGH VOTERS BILL.

On Motion of Sir CHARLES DILKE, Bill to amend the Law with respect to the Registration of Borough Voters in England and Wales, *ordered* to be brought in by Sir CHARLES DILKE, Mr. RATHBONE, and Mr. BOORD.

Bill *presented*, and read the first time. [Bill 38.]

EMPLOYERS AND WORKMEN ACT (EXTENSION TO SEAMEN) BILL.

On Motion of Mr. BURT, Bill to extend the provisions of "The Employers and Workmen Act, 1875," to seamen whilst they are in British waters, *ordered* to be brought in by Mr. BURT, Mr. JOSEPH COWEN, Mr. MUNDELLA, Dr. CAMERON, and Mr. GOURLEY.

Bill *presented*, and read the first time. [Bill 39.]

REAL ESTATE OF INTESTATES BILL.

On Motion of Mr. POTTER, Bill for the better settling the Real Estates of Intestates, *ordered* to be brought in by Mr. POTTER, Mr. LEATHAM, Mr. HOPWOOD, Mr. PRICE, and Sir WILFRID LAWSON.

Bill *presented*, and read the first time. [Bill 40.]

MARRIED WOMEN'S PROPERTY (SCOTLAND) BILL.

On Motion of Mr. ANDERSON, Bill for the Protection of the Property of Married Women in Scotland, *ordered* to be brought in by Mr. ANDERSON, Sir ROBERT ANSTRUTHER, Mr. M'LAREN, and Mr. ORR EWING.

Bill *presented*, and read the first time. [Bill 41.]

PERMISSIVE PROHIBITORY LIQUOR BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Owners and Occupiers of Property in certain districts to prevent the common sale of Intoxicating Liquors within such districts.

Resolution *reported :* — Bill *ordered* to be brought in by Sir WILFRID LAWSON, Sir THOMAS BAZLEY, Mr. DOWNING, Mr. RICHARD, Mr. WILLIAM JOHNSTON, Dr. CAMERON, and Mr. DALWAY.

Bill *presented*, and read the first time. [Bill 42.]

LEGAL PRACTITIONERS BILL.

On Motion of Mr. WILLIAM GORDON, Bill to amend the Law relating to Legal Practitioners, *ordered* to be brought in by Mr. WILLIAM GORDON and Mr. CHARLEY.

Bill *presented*, and read the first time. [Bill 43.]

SEA FISHERIES (IRELAND) BILL.

On Motion of Dr. WARD, Bill for the regulation and encouragement of the Coast and Deep Sea Fisheries of Ireland, *ordered* to be brought in by Dr. WARD, Mr. BUTT, Mr. COLLINS, and Sir JOSEPH M'KENNA.

Bill *presented*, and read the first time. [Bill 44.]

COMPANIES ACTS AMENDNENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Companies Acts 1862 and 1867.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. CHADWICK, Sir HENRY JACKSON, Mr. SAMPSON LLOYD, Mr. RYLANDS, Mr. HOPWOOD, and Mr. BENJAMIN WHITWORTH.

Bill *presented*, and read the first time. [Bill 45.]

POOR LAW GUARDIANS ELECTIONS (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to provide for the election by ballot of Poor Law Guardians in Ireland, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. CALLAN, Mr. MAURICE BROOKS, and Mr. DOWNING.

Bill *presented*, and read the first time. [Bill 46.]

DIVINE WORSHIP FACILITIES BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide further facilities for the performance of Divine Worship according to the rites of the Church of England.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. WILBRAHAM EGERTON, Mr. BIRLEY, Mr. WHITWELL, and Mr. RODWELL.

Bill *presented*, and read the first time. [Bill 47.]

IRISH CHURCH ACTS AMENDMENT BILL.

On Motion of Mr. PARNELL, Bill to further amend the Irish Church Act Amendment Act, *ordered* to be brought in by Mr. PARNELL and Mr. FAY.

Bill *presented*, and read the first time. [Bill 48.]

IMPRISONMENT FOR DEBT ABOLITION BILL.

On Motion of Mr. BASS, Bill to abolish Imprisonment for Debt, *ordered* to be brought in by Mr. BASS, Mr. FIELDEN, Mr. COBBETT, Mr. ANDERSON, and Mr. KNOWLES.

Bill *presented*, and read the first time. [Bill 49.]

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

On Motion of Mr. RICHARD SMYTH, Bill to prohibit the Sale of Intoxicating Liquors on Sunday in Ireland, *ordered* to be brought in by Mr. RICHARD SMYTH, The O'CONOR DON, Mr. CHARLES LEWIS, Mr. JAMES CORRY, Mr. WILLIAM JOHNSTON, Mr. DEASE, Mr. DICKSON, and Mr. REDMOND.

Bill *presented*, and read the first time. [Bill 50.]

LANDLORD AND TENANT (IRELAND) ACT (1870) AMENDMENT BILL.

On Motion of Mr. CRAWFORD, Bill to amend "The Landlord and Tenant (Ireland) Act, 1870," *ordered* to be brought in by Mr. CRAWFORD, Mr. RICHARD SMYTH, Mr. DICKSON, and Mr. DANIEL TAYLOR.

Bill *presented*, and read the first time. [Bill 51.]

MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

On Motion of Mr. NEWDEGATE, Bill for appointing Commissioners to inquire respecting Monastic and Conventual Institutions in Great Britain; and for other purposes connected therewith, *ordered* to be brought in by Mr. NEWDEGATE, Sir THOMAS CHAMBERS, and Mr. HOLT.

Bill *presented*, and read the first time. [Bill 52.]

PARLIAMENTARY ELECTORS REGISTRATION BILL.

On Motion of Mr. BOORD, Bill to amend the Law relating to the Registration of Parliamentary Electors, *ordered* to be brought in by Mr. BOORD, Sir CHARLES DILKE, and Mr. GRANTHAM.

Bill *presented*, and read the first time. [Bill 53.]

RACECOURSES (LICENSING) BILL.

On Motion of Mr. ANDERSON, Bill for licensing Racecourses, *ordered* to be brought in by Mr. ANDERSON, Sir JAMES LAWRENCE, and Sir THOMAS CHAMBERS.

Bill *presented*, and read the first time. [Bill 54.]

UNIVERSITY EDUCATION (IRELAND) BILL.

On Motion of Mr. BUTT, Bill to make better provision for University Education in Ireland, *ordered* to be brought in by Mr. BUTT, The O'CONOR DON, Mr. MITCHELL HENRY, Mr. MACCARTHY, and Mr. SULLIVAN.

Bill *presented*, and read the first time. [Bill 55.]

TENANT RIGHT (IRELAND) BILL.

On Motion of Mr. RICHARD SMYTH, Bill to legalise Tenant Right at the end of a Lease in Ireland, *ordered* to be brought in by Mr. RICHARD SMYTH, Mr. MACARTNEY, Mr. CRAWFORD, and Mr. DICKSON.

Bill *presented*, and read the first time. [Bill 56.]

BEERHOUSES, &C. (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for the better regulation of Beerhouses in Ireland, and to amend the Law relating to the granting of Licences for Beerhouses.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. MELDON, Mr. CHARLES LEWIS, and Mr. WHITWORTH.

Bill *presented*, and read the first time. [Bill 57.]

AGRICULTURAL HOLDINGS (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to protect Agricultural Tenants in Ireland from capricious eviction, and to enable them in certain cases to acquire security of tenure, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Lord FRANCIS CONYNGHAM.

Bill *presented*, and read the first time. [Bill 58.]

PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL.

On Motion of Mr. MARTEN, Bill to amend the Law relating to Parliamentary and Municipal Registration in certain Boroughs, *ordered* to be brought in by Mr. MARTEN, Mr. TORR, and Mr. DODDS.

Bill *presented*, and read the first time. [Bill 59.]

FORFEITURE RELIEF BILL.

On Motion of Mr. MARTEN, Bill to amend the Law of Relief against Forfeiture for breach of covenant or condition, *ordered* to be brought in by Mr. MARTEN, Mr. OSBORNE MORGAN, and Mr. GREGORY.

Bill *presented*, and read the first time. [Bill 60.]

SETTLED ESTATES BILL.

On Motion of Mr. MARTEN, Bill to consolidate and amend the Law relating to Leases and Sales of Settled Estates, *ordered* to be brought in by Mr. MARTEN, Sir HENRY JACKSON, and Mr. GREGORY.

Bill *presented*, and read the first time. [Bill 61.]

OPEN SPACES (METROPOLIS) BILL.

On Motion of Mr. WHALLEY, Bill for affording facilities for the enjoyment by the public of Open Spaces in the Metropolis, *ordered* to be brought in by Mr. WHALLEY, Mr. MORGAN LLOYD, and Sir GEORGE BOWYER.

Bill *presented*, and read the first time. [Bill 62.]

House adjourned at a quarter before
Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, 12*th February*, 1877.

ROLL OF THE LORDS.

THE LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be *printed*. (No. 3.)

TURKEY—MISSION OF ROYAL ENGINEER OFFICERS.—QUESTION.

OBSERVATIONS.

THE DUKE OF ST. ALBANS asked Her Majesty's Government, Whether it was correctly stated in the newspapers that Officers of the Royal Engineers were sent out to Constantinople last autumn; in what capacity they surveyed the defences there; and in what light their mission was represented to the Turkish Government? His attention had been directed to statements which had appeared in the newspapers to the effect that Engineer Officers had been sent out to Constantinople and were now engaged in surveying the defences in and around that city. Should the noble Earl the Under Secretary for War be able to deny these statements he should not regret having trespassed on their Lordships' indulgence. Should, however, he admit that, at a critical time of the war between Turkey and Servia, officers of the Royal Engineers were sent out to advise on the defence of Constantinople, he thought Parliament had a right to ask from Her Majesty's Government an explanation of so unusual a course. He trusted his noble Friend would tell them under what understanding facilities had been obtained from the Turkish authorities for those officers to perform their duties. He wanted to know how it was that, while British diplomacy was telling the Porte "You have nothing to expect from us," British officers were considering how the capital of Turkey could be preserved from a possible calamity—that while the Government and the Press of this country were impressing on the Turkish Government the necessity of concession and the hopelessness of resistance our scientific officers were said to have reported that the line of the Balkan was unforceable and Constantinople invulnerable by land. True, it was not a great military demonstration; but he believed the presence of those three or four English officers had influenced the Council and public opinion of Stamboul more than the thousands of Russians massed on the frontier. Could the Porte seriously believe that a Government which sent those officers meant to do nothing? Was it surprising that the action of the War Office had more weight with them than the words of the Ambassador? If Her Majesty's Government were at the time prepared to have gone to war for Turkey, every one must admit that they were wise to be prepared and in the course they took. But if their pôlicy at that time was the same as that stated by the Chancellor of the Exchequer now, he asked, What was the use of seeking for this information? These English officers were there under false pretences. He asked his noble Friend this Question from no unpatriotic motive, and should feel glad if his asking it enabled the noble Earl to give a satisfactory explanation of an announcement which at the time created apprehension at home and irritation abroad. He believed Colonel Bent, Royal Engineers, and two Engineers were sent on a like mission just before the Crimean War, and this made the proceeding respecting which he now sought information of still greater importance than it would otherwise have been.

EARL CADOGAN: My Lords, officers have from time to time been employed by the War Office in various parts of the East to obtain intelligence that was thought necessary for the service of Her Majesty's Government. It is obviously impossible for me to enter in this House upon the details of the information which they may from time to time have acquired. I can, however, assure the noble Duke that these officers have been employed exclusively in the service and for the objects of Her Majesty's Government, and that their services would never have been placed at the disposal of any foreign Government whatsoever; nor has any expectation ever been held out that their services would be so placed. With regard to the last part of the Question of the noble Duke, I have to say that no instructions were given to Her Majesty's Ambassador to make any representations to the Turkish Government on the subject.

METROPOLIS—HYDE PARK CORNER.

QUESTION. OBSERVATIONS.

EARL FORTESCUE asked Her Majesty's Government, Whether they are prepared to take early steps, by opening a new communication between Piccadilly and Grosvenor Place, to divert the traffic coming from the north and east into Belgravia, which has during certain hours of the day during several seasons caused such a highly inconvenient block of vehicles at Hyde Park Corner; and whether, to afford some slight relief meanwhile, they will cause the roadway at Hyde Park Corner to be widened forthwith seven or eight feet by throwing the footpath there further back and carrying it through the two little gardens to the north of each side of the Arch at the top of Constitution Hill? The noble Earl said that the crush to which his Question referred had been long increasing year after year. It had been for the last two years such as would be discreditable to any civilized metropolis, and in his opinion was all the more discreditable to London because this was the richest capital in the world. Year after year there had been various projects for the relief of the block; but as yet nothing had been done. In these matters we moved very slowly. In 1845 he was a Member of a Committee of the House of Commons on Metropolitan Communications which took evidence, and carefully considered the various recommendations embodied in its Report, and among others one which he had the honour of making to it—namely, that of the opening of Hamilton Place, which was carried into effect just a quarter of a century afterwards. The relief afforded by this was very great; but since it was adopted the wealth of London and the number of conveyances having to pass by Hyde Park Corner had enormously increased, and every year the block caused by the traffic there was becoming greater and greater. Even the slight measure which he now suggested, though totally inadequate to the requirements of the case, would give appreciable relief by affording width for one additional line of carriages; and it had the advantage, that there would be no difficulty and little expense in adopting it.

THE EARL OF BEACONSFIELD: My Lords, the subject which the noble Earl has brought before us is one which interests everybody. I assure him that it has not been neglected by Her Majesty's Government; but he who is so well acquainted with the subject will readily understand that there are great difficulties connected with it. Several plans have been under the consideration of the Board of Works, and one of them has been favourably considered; but the difficulties which have to be encountered successfully before that plan can be carried into effect are considerable, and I am sorry to say that not the least considerable would arise from the Chancellor of the Exchequer, for the plan would be expensive, though I believe it would be effective and satisfactory. I hope the noble Earl will be satisfied with the answer I give him as to the first part of his Question—that the subject is engaging the sedulous attention of the First Commissioner of Works. With respect to the second part of the Question—whether the Government will adopt the suggestion of the noble Earl—the answer that I have to make is that the scheme has been considered by the Board of Works. According to the report made to me, in their opinion the remedial effect would be infinitesimally small, while the expense would not be trifling. Moreover, we must recollect that it is an expense that would be entirely thrown away, and would therefore be a useless addition to the expenditure that must be encountered in the carrying out of an effective plan.

THE EARL OF POWIS said, he believed a great improvement might be made at a moderate cost, and one which would give a substantial relief at Hyde Park Corner, by very nearly following the lines of the plan exhibited last year. The proposal of last year for constructing a subway failed, because it unduly raised the level of the roadway where it ran under Constitution Hill, and the reason for desiring a bridge of the height which would do that was to enable carriages, waggons, &c., to pass under. His suggestion was that a gravel slope might be made from the end of Hamilton Place to the Green Park, passing by a subway under Constitution Hill. He would make the subway so that it would only raise the road on Constitution Hill imperceptibly —a foot at most. This would give sufficient headway to persons riding on horseback, broughams, cabs, and ordinary carriages. He believed that taking away this light traffic and a large quantity of the foot traffic as well would be a very sensible relief to the road opposite St. George's Hospital. It was obvious that all traffic going from Victoria Station to the north-western district and Paddington would pass along this suggested route; and he believed the subway might be made at a moderate cost.

THE EARL OF REDESDALE said, he had himself submitted a plan to the Board of Works some time ago, and he supposed that plan still remained there. The suggestion which he had made was, that the Wellington Arch should be left for the Queen as an entrance to her private gardens, and that with it a small portion of the upper corner of the Park should be added to them. That there should be a road from Hamilton Place to Halkin Street, over which the Queen's private road should pass on a bridge on the level of the roadway at the Arch. The soil from the cutting would supply the necessary embankment which, being within the garden, might be planted with shrubs and trees, and would not be unsightly. Another road to be carried from Hamilton Place to Constitution Hill, to be used by carriages like other roads in St. James's Park, affording a direct communication from Piccadilly to Parliament and Lower Westminster without entering Grosvenor Place. He believed that this plan would afford greater public accommodation than any other hitherto proposed.

LORD DUNSANY said, that the heavy traffic in the neighbourhood of Hyde Park was greatly on the increase, and it would be well to consider whether a subway might not be made from Grosvenor Place to some distance the other side of Hyde Park. It would be impossible to make a subway of similar length in any other part of the metropolis for so moderate a sum, because there would be no purchase of property until the subway was carried to the lower end of Grosvenor Place.

EARL FORTESCUE protested against the notion that what he had suggested need cost more than very little. The same pavement, railings, and lamp-posts would be available for use again after widening the roadway. But, from what he had heard of the unreasonable expensiveness of much of the work done by the Board of Works, he thought it very likely they would contrive to make even this very costly.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 12th February, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Halifax, *v.* John Crossley, esquire, Chiltern Hundreds.

NEW MEMBER SWORN—John Edmund Severne, esquire, *for* Salop County (Southern Division).

SELECT COMMITTEE—Lunacy Law, *appointed;* Kitchen and Refreshment Rooms (House of Commons, *appointed* and *nominated;* Printing, *nominated.*

PUBLIC BILLS — *Ordered* — *First Reading* — Valution of Property [63]; Patents for Inventions [64]; Roads and Bridges (Scotland) [65]; Supreme Court of Judicature (Ireland) [66]; County Officers and Courts (Ireland) [67]; Sligo Borough (Ireland) * [68]; Kingstown Borough (Ireland) * [69]; County Courts Jurisdiction * [71]; Roads and Bridges (Scotland) (No. 2) * [72]; Thames River (Prevention of Floods) * [70]; County Training Schools and Ships * [73]; Protection to Growing Crops (Scotland) * [74]; Winter Assizes (Ireland) * [75]; Criminal Law Evidence Amendment * [76]; Judicial Proceedings (Rating) * [77].

Second Reading—Referred to Select Committee—Sale of Intoxicating Liquors on Sunday (Ireland) [50].

POST OFFICE TELEGRAPH DEPARTMENT.—QUESTIONS.

MR. GOLDSMID asked the Postmaster General, What steps have been taken with regard to the recommendations of the Committee which sat last Session to consider the management of the Telegraphs?

LORD JOHN MANNERS, in reply, said, that in August a scheme for the re-organization of the Telegraph Department, based upon the Report of the Select Committee, was submitted by him to the Treasury, and it was still under the consideration of the Government. With respect to the Press, he had thought it inexpedient to do more than simply adopt the suggestion made by the Committee, that each message requiring a separate transmission and delivery should be separately charged for at the rate of 1*s.* for one address, with a charge of 2*d.* for every additional address. Systematic inquiries had been and were still being made into the exact telegraphic requirements of each post-office, and in all possible cases steps had been taken, as suggested by the Committee, to diminish the force employed. The Committee had further suggested that a profit and loss account, of a commercial character, should be prepared in order to be laid before Parliament, and he had submitted an account of that nature to the Treasury for the purpose of being submitted to both Houses of Parliament.

Mr. W. E. FORSTER asked whether the noble Lord would lay on the Table the new regulations with regard to the Press?

Lord JOHN MANNERS: Certainly.

Mr. GOLDSMID: Will the accounts submitted to the Treasury be laid before the House?

Lord JOHN MANNERS: That is rather a question for the Treasury when it has decided upon the subject.

TURKEY—THE ATROCITIES IN BULGARIA.—QUESTIONS.

Mr. EVELYN ASHLEY asked the Under Secretary of State for Foreign Affairs, with reference to Lord Derby's Despatch of the 21st September last, about the outrages recently committed on the Christian population of Bulgaria, in which Despatch Her Majesty's Ambassador at Constantinople is instructed, after demanding an audience of the Sultan, to "call for reparation and justice in the name of the Queen and of Her Majesty's Government," and to urge that the "rebuilding of the houses and churches should be begun at once," and "necessary assistance given for the restoration" of the native industries, and above all to "point out that it is a matter of absolute necessity that the 80 women should be found and restored to their families;" and in which Despatch His Excellency is further instructed at the same audience "to mention by name Shefket Pasha, Hafiz Pasha, Tossoun Bey, Achmet Aga, and the other officials" whose conduct had been denounced in Mr. Baring's Report, and to urge "that striking examples should be made on the spot of those who have connived at or taken part in the atrocities," and that "the persons who have been decorated or promoted under a false impression of their conduct should be tried and degraded where this has not been done already," What steps have been taken by the Turkish Government to comply with the demands of Her Majesty's Government?

Mr. BOURKE: The hon. and learned Member asks me, what steps have been taken to comply with the demands made by Her Majesty's Government in the despatch of Lord Derby, which is contained in the Papers issued, of the 21st September last? Now, Sir, as nearly all the Papers are in the Blue Books which are before the House, I am afraid it would be rather difficult for me to give a satisfactory answer to my hon. and learned Friend without going into considerable length, and I do not suppose that the House would desire me to quote a great number of despatches which relate to the subject. They are all before the House, so far as they relate to matters which have occurred down to the date of the despatches in the Blue Books. At the same time I dare say it might be satisfactory to the House if I make a short statement which will show exactly what has been done since the date of the despatch which my hon. and learned Friend has alluded to. In the first place, I dare say hon. and learned Members who have read the Blue Book will see that a despatch was addressed by Lord Derby to Lord Salisbury on the 24th November last—at the time when at Constantinople—and there are two or three paragraphs in that despatch which, with the permission of the House, I will read. They will be found about the middle of that despatch.—

> "It is with regret that Her Majesty's Government have learnt from the subsequent reports of Mr. Baring and Her Majesty's Consular officers, how little has been done to give effect to these assurances of the Sultan."

That refers to the assurances given by the Sultan at the time the despatch of the 21st of September was read to him by Sir Henry Elliot.

> "Shefket Pacha has been retained in posts of honour, and although Achmet Aga has been at last arrested, his son, who is accused of being equally culpable, has been allowed to escape,

and is in concealment among the Mussulmans. The Turkish authorities have only sent a sum of £7,000 for the rebuilding and repair of the villages, although the Turks themselves have estimated the amount required at £30,000; and at one place, Ali Bey, a notorious fanatic and a participator in the outrages, has been appointed to superintend the works. Nothing whatever appears to have been done to restore the industries of the Christian population. From the reports which have reached Her Majesty's Government it is doubtful how many of the 80 women have been restored to their homes. Sixty-eight women and children are stated to have been brought back to Batak, but others still remain in the hands of their captors or are otherwise retained, and the efforts of the Pacha of Salonica to recover those who had been taken to that Province have been impeded by the Mutessarif of Drama and other subordinates. Instead of examples having been made on the spot, the inquiries of the Commission under Sadoullah Bey have been conducted at a distance from the scene of the principal outrages, and witnesses have had consequently to be summoned from a considerable distance, the proceedings being thus delayed, the effect of examples lost, and the ends of justice to a great extent frustrated. The conduct of the Commission has also been in many other respects most unsatisfactory. The few members of it who have shown any capacity for judicial investigation have been checked and hindered by the interruptions of their colleagues, and months after the massacre of hundreds of women and children and of unarmed men, the Commissioners are still considering whether such murders are crimes."—[*Turkey*, No. 2, 1877—p. 15.]

I think I have read sufficient of that despatch. I will read more if the House wishes; but I think that what I have read shows what was the opinion of Her Majesty's Government on the 24th November with regard to the progress made on the subject referred to by my hon. and learned Friend. Lord Salisbury executed the instructions he received under that despatch on the 8th December. I need not read what Lord Salisbury says in his despatch, which will be found in the Blue Book; but I may state generally the results of the Commission sitting at Philippopolis for the trial of the persons implicated in the events in Bulgaria. Achmet Aga and Melto Behtash have been condemned to death; Achmet Tchaousch of Kara Boulak to hard labour for life; Alish Pelwan to four years' hard labour; Fetha to eight years' hard labour; Abdullah Effendi, the Kaitik of the Mudir of Derbend, to three and a half years' hard labour; Kutchuk Halil to six months' imprisonment; and Achmet Tchaousch of Dorkovo to three months' imprisonment. The Vali of Adrianople has also been dismissed, and Ali Bey, Mutessarif of Drama, has been recalled. Hafiz Effendi has been acquitted, it having been proved that he was not present at the massacres. Tossoun Bey, who, according to Mr. Baring's Reports, was one of the most deserving of punishment, has been acquitted, and Mr. Baring has in consequence been recalled by Mr. Jocelyn from attending the Commission at Philippopolis. When the Commissioners have finished the cases of Batak and Dervent, they are to proceed to Tirnova to make inquiries north of the Balkans. With respect to Shefket Pasha, a Commission has been despatched to the caza of Slimnia, to inquire into what occurred there last May; and when that Commission has finished its labours, if it appears that he ought to be put upon his trial the authorities have already promised that nothing shall be done to shield him from the consequences of his acts. With regard to that part of the Question relating to the re-building of the houses and churches, some progress, I am glad to say, has been made. Mr. Baring reports that none of the villagers are without some sort of shelter. Mr. Long—whose efforts we all know for bettering the condition of the Bulgarians—has also been endeavouring to give them what assistance he can. He states that the Turkish authorities are friendly, and he has every reason to be grateful for the support they have uniformly given him. Little apparently has hitherto been done to assist the restoration of the native industries, and with regard to the 80 women missing from Batak, 68 women and children are stated to have been sent back. Relief has also been distributed by the authorities generally, and agricultural implements have been supplied to some of the destitute villagers. I hope the House will be satisfied with this very meagre summary of some of the despatches which will be found in the Blue Book. I do not think I could have trespassed much further on the attention of the House. The whole subject is contained in the Blue Books, and if the hon. and learned Gentleman wishes for any more Papers regarding any particular case I shall be happy to lay them before the House. Under any circumstances Her Majesty's Government will continue to present to the House from time to time any information that may be received.

Mr. GLADSTONE: If I may be permitted, I would ask a Question, or rather two Questions which strictly grow out of the answer just given by the hon. Gentleman the Under Secretary. ["Order!"] I apprehend it is quite common for the convenience of the House to do what I am now proposing to do, which hon. Gentlemen opposite do not seem to be aware of. It is quite agreeable to me to wait until the end of the Questions when my name is down on the Paper for that purpose. I agree with what was stated by the hon. Gentleman as to its being impossible for him to give in a summary or tabulated form the result of these proceedings. But there is one chapter with regard to which it appears to me that a Return might be prepared, if Her Majesty's Government would be kind enough to do it, that would be of great utility. First, will the hon. Gentleman allow me to ask him, whether it is true that Shefket Pasha has been arrested, and on what date; and, secondly, whether it is true, as stated in the papers, that Shefket Pasha is a relative of Midhat Pasha? So much for that well-known individual. I think it would be possible for the Government, if they were so disposed, to prepare a Return of this kind, and I wish to ask if they will be good enough to do it. I shall be happy to give the terms in which I think this Return ought to be made. A Return, as far as it can be furnished from Papers in possession of Her Majesty's Government, of the dates, numbers, and particulars of judicial sentences; first, pronounced; secondly, executed, since the rising in Bulgaria down to the present time; first, on persons charged with complicity in the rising; second, on persons charged with the perpetration of outrages or complicity in outrages during its suppression, or with other misconduct subsequent thereto. ["Notice!"] I have no objection to give Notice; but I thought it might be convenient if, in connection with the Answer just given, I stated roughly now the kind of Return which it would be desirable that we should have.

Mr. EVELYN ASHLEY: May I ask the hon. Gentleman, whether the Government have any information as to the execution of the sentence on Achmet Aga?

Mr. BOURKE: We have no information as to the execution of the sentence on Achmet Aga. Of course, if I had heard that Achmet Aga had been executed, I would have mentioned it. With regard to the Notice of the right hon. Gentleman, nobody is better aware than he is that it would be impossible for me to give him an answer without consulting my noble Friend the Secretary of State for Foreign Affairs. With regard to Shefket Pasha being a relation of Midhat Pasha, that has been asserted, but I am not in a position to say whether it is true or false. As to his arrest, we have also made inquiries on the subject; and, certainly, if he has not been arrested, I may say that he is under the surveillance of the authorities at Constantinople.

FUGITIVE SLAVES.—QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether it is true that a fugitive slave, who sought refuge in one of Her Majesty's ships at Jeddah, was handed over by the commanding officer to the British consul, and by the consul given back to slavery; and, if so, whether these acts are in accordance with the instructions of Her Majesty's Government?

Mr. BOURKE: As there is another Question on the Paper on this subject to be put by the hon. Member for Newcastle (Mr. Cowen), I wish, with the permission of the House, to answer both at the same time. The Government have heard, through the Admiralty, of this case, although they have not yet received any Consular Report upon it. Rear-Admiral Macdonald, writing from Her Majesty's ship *Fawn*, Jeddah, December 12, 1876, on this subject, says—

> "I have the honour to inform you that early on the morning of the 10th inst., while the ship was lying in the harbour of Jeddah, in Turkish waters, a negro swam alongside, and coming on board stated through the interpreter that he was a slave and had run away from his master. Having ascertained that the fugitive was in no bodily fear whatever, I took him to the British Consulate, whereon the following day he was examined in my presence by the Acting Consul, Mr. J. Oswald, with the following result:—That he had been stolen from his home in Nubia some years since, and after an indefinite time had been taken from Berber, on the Nile, to Kosair, and thence brought in a dhow with eight other slaves to Jeddah, where he was sold a few months ago to one Ibrahim Ijalan, a land-owner, who employed him in his boats. He was well treated and never beaten.

Having been latterly employed in digging sand for ballast on the reefs, he complained to his master that it was too cold for working in the water (N.B., the minimum temperature of the sea water has been 78 degrees), and that he wanted more clothes, and eventually he refused to work and ran away, swimming off to this ship. As there is no Treaty against slaves and there was no ground for complaint of ill-usage, it was decided to hand the fugitive over to the Governor of Jeddah, the Acting Consul undertaking that he should not be ill-used in consequence of his endeavour to escape."

As to the Fugitive Slave Circular issued for the guidance of naval commanders, the clause of it which applies to such a case as this is as follows:—

> "It is not intended, nor is it possible, to lay down any precise or general rule as to the cases in which you ought to receive a fugitive slave on board your ship. You are, as to this, to be guided by considerations of humanity, and these considerations must have full effect given to them whether your ship is on the high seas or within the territorial waters of a State in which slavery exists; but in the latter case, you ought at the same time to avoid conduct which may appear to be in breach of international comity and good faith."

These are the facts of this case as far as we know them. We have not yet received the Report of the Consul, and until we have it would be premature to say what should be done in the matter.

SIR GEORGE CAMPBELL gave Notice that he would take the earliest opportunity of drawing attention to the case, and move a Resolution.

SPAIN—SEIZURE OF THE "LARK" AND THE "OCTAVIA."—QUESTION.

MR. SERJEANT SIMON asked the Under Secretary of State for Foreign Affairs, What progress has been made with reference to the claims against the Government of Spain on account of the seizure in the West Indies of the two British vessels the "Lark" and the "Octavia;" and, whether there is any prospect of an early settlement of those claims?

MR. BOURKE: Her Majesty's Government have protested against the seizure of the *Octavia* and claimed her release. A further representation had been made by Mr. Layard to the Spanish Government within the last few days, and it may be hoped that the settlement of the case will not now be long deferred. With regard to the *Lark*, a despatch was received from Mr. Layard on the 6th instant, enclosing a note from the Spanish Government repeating their refusal to grant compensation in this case. The course which shall now be pursued is under consideration by Lord Derby, who will communicate with the Secretary of State for the Colonies upon it.

ARMY—COMMISSARIAT AND TRANSPORT OFFICERS.—QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether, referring to a Question put by him early in last Session as to grievances of officers of Commissariat and Transport Departments, and the Secretary of State's reply thereto that the same could not be considered until a Committee then sitting upon a scheme for the re-organization of the Department had reported, whether any steps have been taken to redress the grievances complained of; and, if not, whether, looking to the fact that the majority of the appeals of officers have lain at the War Office for about twelve months, he will take early steps to redress those grievances, and thus put an end to a state of affairs disheartening to the officers?

MR. GATHORNE HARDY, in reply, said, that he expected in a few days to have the Report of a Committee on the organization of the department in his hands, and that he would give the subject his earliest possible consideration. At the same time, he might state that until the Surveyor General of Ordnance, who presided over that department, was back from his illness he (Mr. Hardy) would be unable to consider the matter fully.

TURKEY—LOANS OF 1854 AND 1855.

QUESTION.

COLONEL MURE asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have had to provide for the payment of the coupon of the 1855 Turkish Loan this month, and whether it is not a fact that there are funds in the Bank of England for that purpose, part of the annual Tribute of Egypt, which the Bank cannot release until the coupons of the 1854 Turkish Loan are paid in full; and, whether, in accordance with his statement to this House on July 21st

1876, "That Her Majesty's Government were not insensible to the gravity of the responsibility that rested upon them" with respect to the 1854 Loan, Her Majesty's Government have taken any steps in the matter; and, if so, what state the negotiations are in at present?

THE CHANCELLOR OF THE EXCHEQUER: Her Majesty's Government have not paid the coupon due this month on the Turkish Guaranteed Loan of 1855, the Turkish Government having provided the full amount required. With regard to the loan of 1854, Her Majesty's Government have taken steps to fulfil the pledge which they gave to the House of Commons. On agreement between the Treasury and the Foreign Office, Lord Derby instructed Lord Lyons to ascertain whether the French Government would join in a representation to the Porte on behalf of the bondholders of 1854, adding a suggestion that the two Governments might, in the interests of all concerned, proffer their good offices to facilitate the conclusion of an agreement. The Duc Decazes replied expressing the readiness of the French Government to instruct the French Ambassador at Constantinople to come to an understanding with his English Colleague and to secure their joint action in regard to the Loans of 1854 and 1855. Accordingly, instructions have been sent to Her Majesty's Chargé d'Affaires at Constantinople to give effect, on behalf of England, to the joint resolution of the two Governments.

CARLISLE PLACE ORPHANAGE.

QUESTION.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to the infant mortality of 98 per cent. at the Roman Catholic Orphanage at Carlisle Place, Westminster, as officially reported, Whether it is his intention to cause inquiry as to like institutions where children are taken under Roman Catholic care, at the public cost or otherwise, but not now subject to public inspection or control?

MR. ASSHETON CROSS: Sir, when this matter was first brought under my consideration some two months ago, I asked the Local Government Board to allow one of its Inspectors to make inquiries into the state of the orphanage. That Inspector was met by the ladies who had charge of the institution, who showed him over the place, and offered to avail themselves of any suggestions he might make for the better protection of infant life. The Inspector made several recommendations with the view of carrying out that object. I thought it right a few weeks ago to ask the Inspector to go again, in order to see whether his recommendations were carried out. I have not yet received his Report, and I do not know what it may be. But it is right I should state, on behalf of those ladies who undertook the management of this purely charitable institution, that I have this morning received a Report from the sanitary authority of the Westminster Board of Works, who had sent their own medical officer to make a report for their own satisfaction. The conclusion of that Report is as follows:—

> "I cannot speak too highly of the general cleanliness of this institution, and of the devotedness of those ladies who have undertaken to conduct it."

As to that part of the Question of the hon. Member which asks me whether it is my intention to cause inquiry as to like institutions where children are taken under Roman Catholic care, at the public cost or otherwise, I have to say that I thought it right in consequence of what was brought under my notice, to ask for particulars not of institutions of this kind conducted by Roman Catholics alone, but of institutions conducted by persons of all creeds and classes, as far as possible. I may say that of these poor children who are taken into this institution out of purely charitable motives, one-half would have died if they had not been admitted. They are generally taken into such institutions in a state of the most miserable destitution, and are deprived of the proper nourishment they should receive. It is a question whether such institutions may not require to be put under certain regulations, for medical men are of opinion that the bringing together of too many infants in one place is likely to increase their mortality. But that is a question to be afterwards considered. The matter is under the consideration of the Local Government Board as well as of myself, but without regard to any question of creeds or religions.

TURKEY—SIR HENRY ELLIOT.

QUESTION.

SIR GEORGE CAMPBELL had a Question on the Paper asking, Whether Sir Henry Elliott, after being ordered to leave Constantinople as a mark of the high dissatisfaction of Her Majesty's Government at the conduct of the Turkish Government, had received addresses from certain deputations, &c. The hon. Member explained that in adopting these words he had assumed as a fact what on referring to the Blue Book he found was not established, and he accordingly wished to put his Question to the Chancellor of the Exchequer in this form, Whether in fact Her Majesty's Government did, like the other Powers, mark the high dissatisfaction of Her Majesty with the Porte by the withdrawal and non-replacement of Her Ambassador; whether Sir Henry Elliot was still in the service of Her Majesty; if so, whether there was any truth in the statements made in the public prints that he had received addresses from certain deputations and made replies of the character attributed to him; and particularly whether it was true that after Lord Salisbury had left Constantinople with a solemn warning that the conduct of the Porte involved "dangers near at hand which would threaten the very existence of Turkey," Sir Henry, on the contrary, expressed great confidence in the future of Turkey; and that he further expressed an expectation of seeing those who addressed him again in a few months, thereby conveying the impression that his absence was to be quite temporary.

THE CHANCELLOR OF THE EXCHEQUER: It is very difficult to answer Questions of this kind, which really involve a good deal of controversial matter. I trust the House and the hon. Member will allow me, in answer, to confine myself to a statement of facts, without entering in any way into any argument such as this Question seems to point to. Sir Henry Elliot is still in the service of Her Majesty, and the circumstances under which he left Constantinople are to be found recorded in the Blue Book. I may mention, though it is a little beside the Question, that Sir Henry Elliot some short time ago requested permission to go on sick leave, his health being affected by the strain of his duties, but that he was requested to remain in consequence of the pressure of business, and especially with regard to the Conference. He was, therefore, still at his post when, on the 22nd December, Lord Derby addressed to Lord Salisbury a telegraphic despatch which will be found in the Blue Book. In that despatch these words were used—

> "In the event of the Porte persisting in its refusal, and the Conference failing, your Excellency (that is Lord Salisbury) will, of course, come away, and it will be desirable in that case that Sir Henry Elliot should also come to England to report upon the situation, leaving a Secretary in charge of the Embassy."

Nothing was said in those instructions as to dissatisfaction or non-replacement of the Ambassador or anything of that kind. The Conference, as is known, did fail, and Sir Henry Elliot, accordingly, did place the Embassy in charge of a Chargé d'Affaires and came to England. With regard to any deputation he may have received, we have had information that certain deputations did wait on him. But I am not sure whether a record has been kept of his replies. Certainly nothing which has reached the Foreign Office on this subject requires, in the opinion of my noble Friend (the Earl of Derby), that any notice should be taken by him of anything that has been said by Sir Henry Elliot.

IRELAND—THE CONSTABULARY—CASE OF SUPERINTENDENT HILL.

QUESTION.

MR. CLIVE asked the Chief Secretary for Ireland, Whether he will produce the Correspondence relating to the dismissal of Mr. Hill, late Superintendent of Constabulary in county Mayo, including the Memorial of the Grand Jury of the said county?

SIR MICHAEL HICKS-BEACH, in reply, said, that if the hon. Member would be good enough to specify the correspondence he referred to, he would see whether it could be produced. He thought it right to add that Mr. Hill had not been dismissed, but had retired on a pension.

OYSTER FISHERIES.—QUESTION.

SIR CHARLES LEGARD asked the Secretary of State for the Home Department, If he proposes to bring in a Bill this Session dealing with the Oyster Fisheries of England and Scotland?

SIR CHARLES ADDERLEY: In accordance with the recommendation of the Select Committee on Oysters, we had an inspection of the oyster fisheries established under orders of the Board of Trade, and the result was laid before Parliament on the first day of the Session, and will shortly be in the hands of Members. It is intended to bring in a Bill on the subject in the course of the Session; but pending the Report of the Inspectors of Crab and Lobster Fisheries, I cannot say whether the Bill will include both subjects.

SCOTLAND—PROCEDURE IN THE COURT OF TEINDS.—QUESTION.

MR. MACKINTOSH asked the Lord Advocate, Whether it is his intention to introduce a Bill to amend and simplify procedure in the Court of Teinds, Scotland, and to provide for the commutation of Teinds?

THE LORD ADVOCATE: The Question put by the hon. Member for the Inverness Burghs involves two questions, one relating to procedure in teind cases, and the other, I rather think, intended to comprehend the general question as to the law of teinds. My attention of late has been very specially directed to that law, but it is one which involves numerous and complicated interests, and doubting as I do whether a mere Procedure Bill would remove all causes of complaint, I cannot undertake that a Bill dealing with both these questions will be introduced this Session.

THE WAR OFFICE—SANITARY CONDITION.—QUESTION.

SIR WILLIAM FRASER asked the First Commissioner of Works, Whether his attention has been called to the circumstances of the deaths of Lieutenant General Sir James Lindsay, of General Egerton, of Colonels Middleton and Jennings, and to the mortality and sickness among the officers and civilians employed at the War Office and Horse Guards in Pall Mall; whether complaints have been made at various times relating to the supposed pestilential condition of these buildings; if so, whether he will lay Copies of those complaints upon the Table of the House; and, whether he will lay upon the Table of the House the Report of the Royal Commission lately appointed by Her Majesty?

MR. GERARD NOEL, in reply, said, the attention of the Government had been called to the deaths of the officers referred to by name, and he was glad to be able to state that they were not in any way to be attributed to the unhealthy condition of the War Office. From a War Office Return issued on the 19th of January last, it appeared that out of the total number of *employés*—namely, 630—there were nine absent owing to sickness. One of the illnesses was typhoid fever, and the others were bronchitis, congestion of the liver, stoppage of the bowels, rheumatic gout, sprain, and a disease of the mouth, During the year 1876 there was only one case of typhoid fever. Complaints had been made with regard to the condition of the building, but these formed part of the Departmental Minutes and could not be laid on the Table of the House; but these complaints had been attended to by the Board of Works, who had in every case endeavoured to remedy the evil. A Committee—not a Royal Commission—consisting of Sir William Jenner and others was appointed to inquire into the sanitary condition of the War Office, and their Report was ready and would forthwith be printed. He could assure the House that every exertion would be made on the part of the War Office and the Office of Works to carry out stringently and effectually the recommendations of the Committee.

TURKEY—THE PAPERS ON THE AFFAIRS OF TURKEY.—QUESTION.

MR. W. E. FORSTER: I wish to put to the Under Secretary of State for Foreign Affairs a Question, of which I have given him private Notice, relating to the Blue Books on the Eastern Question. In the second of the Blue Books, under date January the 2nd of this year, Lord Derby wrote a despatch to Lord Lyons, in which it is stated—

> "I told the French Ambassador so long ago as last summer that I had warned Musurus Pasha that the Porte must not expect material assistance from England in the event of a Russian War."

I do not think any such despatch is to be found amongst the Papers of last year; and I wish to ask whether that document is amongst the despatches, and, if so, whether Her Majesty's Government have any objection to produce it? If there be such a despatch—and I imagine there is, for it was publicly stated by Lord Derby last Thursday that some such despatch had been written—I do not doubt that the Government will think it right to explain why it is not included in the despatches given last year, being of a very important nature, and being also, I may add, of a nature which must have somewhat surprised every unofficial Member of this House.

MR. BOURKE: In reply to the right hon. Gentleman, I may say that the despatch would naturally have been in the Blue Book presented last year, unless it appeared to the Secretary of State that at that time it was inexpedient to produce it. At present the circumstances were changed, and Her Majesty's Government would be happy to produce it when called for by the right hon. Gentleman. Whether it will be necessary for me to state any reason why it was not produced last year I am not sure; but I think hon. Members, on reading that despatch, will see that there was very good reason for not producing it last year.

MR. W. E. FORSTER: Will it be necessary that I should move for its production?

MR. BOURKE: I will lay it on the Table.

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL—[BILL 23.]

(*Sir Henry Wolff, Sir Charles Russell, Sir Charles Legard, Mr. Onslow, Mr. Ryder.*)

SECOND READING.

Order for Second Reading read.

SIR H. DRUMMOND WOLFF, in moving that the Bill be now read a second time, said, its object was to remove certain electoral anomalies. It had already been before the House two Sessions, and had on several occasions been approved by large majorities.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir H. Drummond Wolff.*)

SIR CHARLES W. DILKE said, that the Bill had not been delivered, and therefore the House could not proceed with the discussion of it. He moved that the debate be adjourned.

MR. DILLWYN seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Charles W. Dilke.*)

SIR H. DRUMMOND WOLFF said, he thought the hon. Baronet must know it by heart by this time. It was by some gross negligence that it had not been delivered, for it had been given to be printed on Friday, and other Bills sent in that day had been delivered that morning. The fault had lain with the printer, but copies had been sent to the House in the course of the day, and were now lying on the Table. He thought the objection taken was merely a pretext, and, believing himself to be quite in Order, he would not withdraw the Motion.

MR. KNATCHBULL-HUGESSEN knew nothing of the Bill, and could not therefore discuss it. But he appealed to the Government not to support the inconvenient precedent of reading a Bill a second time before it had been printed and delivered to hon. Members. This Bill might be approved by hon. Gentlemen opposite and it might be an excellent Bill, but he would warn the Government that in future Parliaments there might be in a similar position some Bill which they and their friends greatly disapproved, and they might find the precedent quoted against them. It was an almost invariable rule of the House to insist that a Bill should be printed before it was allowed to be read a second time, and he hoped there would be no departure from this salutary rule.

THE CHANCELLOR OF THE EXCHEQUER sympathized with his hon. Friend on the hard fortune he had experienced in connection with this Bill on former occasions, and which seemed to be still pursuing him. The Bill was short, and might have been printed and distributed in a few hours, and it was so well known that, had it been circulated, there could have been no objection to proceeding with the second reading at this early period of the Session. He was bound, however, to recognize the force of the objection taken by hon. Gentlemen opposite. They had to choose between a general convenience and a particular inconvenience, and they must bear in mind that hard cases made bad law. This seemed to him a hard case; but if they were on this occasion to infringe the unwritten rule which forbade the discussion of a Bill before its delivery, they would, he thought, be setting a very bad precedent, and he must therefore advise his hon. Friend to consent to a postponement of the Motion.

Sir H. DRUMMOND WOLFF said, out of deference to the House, he had no alternative but to yield to the appeal; but he hoped the Government would give him a day.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.—[Bill 50.]

(*Mr. Richard Smyth, The O'Conor Don, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

SECOND READING.

Order for Second Reading read.

Mr. RICHARD SMYTH, in rising to move that the Bill be now read a second time, said: I am happy to think that it will be hardly necessary for me to address myself to the provisions of this Bill, as happily the principle of it may now be regarded as generally admitted. When the Bill was read a second time last year there was an appeal against it on the ground that as soon as the masses of the people of Ireland became aware that the House of Commons was thoroughly in earnest in its desire to pass a Sunday closing law, an agitation would be at once set on foot in that country in opposition to the measure. We were then told that this House would be flooded with Petitions, that loud protests from all sides would be heard, and that indignation meetings would be convened in all parts of Ireland. I did not myself think that there was much force in those appeals. But notwithstanding the opposition which my Friends gave to that proposition a delay took place, and what has been the result? Indignation meetings, if we may so call them, have undoubtedly been held; but, instead of these meetings being convened for the purpose of protesting against the Bill, they have, so far as I am aware, in every instance been convened for the purpose of passing resolutions expressive of deep regret that the Bill did not become law last year. In fact, I think I am within the limits of strict accuracy in saying that in Ireland there is no public opinion whatsoever against this measure—at least, no public opinion against it has been expressed. Then, on the other side, Petitions unprecedented in number, and in the number of signatures attached to them, have been already presented to this House, and I may state that to-night Petitions signed by 89,000 persons in various towns of Ireland have been presented in favour of the Bill. This is, of course, only a small instalment of the Petitions likely to be presented. Large and enthusiastic meetings have been held in the great centres of population in Ireland which have passed resolutions in its favour; and, so far as I am aware, no resolution at any public meeting in Ireland has been passed against it. A canvass of the 19 large towns which the Government last year proposed to exempt from the operation of the Bill has been instituted with the following results—I shall merely give the aggregate without entering into details:—96,934 householders have expressed their opinion in writing in favour of the Bill, and only 11,331 against. Of those same towns the licensed traders in liquors who have voted have expressed their opinion in the following proportion:—1,255 of these licensed traders have given their opinion in its favour, and only 1,037 against. Several elections have taken place in Ireland during the Parliamentary Recess, and in every instance an avowed supporter of this measure has been returned. The late Member for Sligo (Sir Robert Gore Booth) was a consistent opponent of this Bill. He has been succeeded by a friend of the measure. Of the five candidates who at first announced themselves for the representation of the county of Waterford, one gentleman proclaimed himself a strenuous opponent of the Sunday closing of public-houses. The electors of the county made short work of him, summarily dismissing him from the candidature, and he found no one to place his name on the nomination paper. In fact, in all the history of legislation in this House I believe no stronger case has ever been made for the passing of any measure, if we are to take public opinion as a test and guide of what ought to be done in the matter of legislation. I have only, Sir, to say that I have selected the earliest day at my disposal for very good reasons; at least, I think them very valid reasons. I was unfortunate in the ballot on Thursday last. I believe I was the last but one, my Bill coming out, I believe, No. 50 or 56, at all events very low down. I saw at once that it was quite impossible for me to obtain a day by deferring it to a distant part of the Session, and in consequence of a statement made by the right hon. Gentleman the Chief Secretary for Ireland, in reply to a Question from my hon. Friend the Member for Wexford county (Mr. O'Clery), I was led to take the first available day of the Session for this Bill. The Chief Secretary, with that perfect frankness which has always, so far as I can judge, characterised his management of Irish business, and of all matters that come under his control, has stated to the House that it was not the intention of himself or the Government to offer any opposition to the principle of this measure, reserving to himself the right of taking the best means at his disposal of placing before the House certain evidence, which, in his opinion, was of a weighty character, against the application of the Bill to some of the largest towns in Ireland. After that frank statement of the right hon. Gentleman I thought I was justified in availing myself of the earliest day at my disposal for proposing the second reading of the measure. Then, as regards some hon. Friends of mine from Ireland, who opposed the Bill last year, I may state that there were 11 of them then, and that number is now reduced to 10. We know the very vigorous, and, indeed, the very successful efforts which were made by these hon. Gentlemen last year in the hot days of July and August, in the way of talking against this Bill. I think each of these hon. Friends of mine will be obliged to me for commencing at this early stage of the Session, as it will certainly afford them greater scope and a cooler season of the year for the expression of their views, and for their patriotic exertions. I have nothing more to say, and will conclude by moving that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Richard Smyth.*)

MR. O'SULLIVAN Sir, I will appeal to you to say whether it is just, right, or in accordance with the usages of this House, that a Bill of this kind, dealing with the property of 16,000 or 18,000 persons in my country, and restricting the liberties and ancient privileges of the people, should be forced on so precipitately on what is really the first night of the Session? The Bill cannot yet have got into the hands of the persons chiefly interested in this question.

MR. SPEAKER: The hon. Member asks me whether we are proceeding according to usage in discussing the second reading of this Bill. I am bound to say that the matter is properly before us.

MR. O'SULLIVAN: I rise to object to this Bill being read a second time. I do so, Sir, for many reasons. I rise to oppose it because it is contrary to the wishes of the large majority of the people of Ireland; secondly, because it attacks the rights and the property of a large number of the people of Ireland. I am prepared to maintain that this Bill, which is brought in for the professed object of lessening drunkenness in Ireland, will be the means of increasing it, and that it will not stop the sale of drink in Ireland on Sundays, but merely transfer the sale from a large number of small and industrious shopkeepers to the Munster houses and shebeen houses. It will increase drunkenness, because the article to be found in the shebeen houses will be of the very worst description, and there is no control over these houses as there is over regular licensed victuallers in Ireland. I will refer to a Return which has been obtained by the Lord Lieutenant of the county of Limerick, a gentleman who is well known in this House, the present Lord Emly. In the county which I represent (Limerick) there are 14 parishes in the diocese of Cashel and Emly in which Sunday closing is carried out at present, and has been for some time past. There is another large part of that county where the public-houses are opened on Sundays as they have always been. A Return was asked for by Lord Emly from the different petty session clerks of petty sessions districts of the archdiocese of Emly, where the public-houses are closed, and that part of the diocese of Limerick where the public-houses are open on Sundays. There is, first of all, Patrickswell, in the diocese of Limerick, with a population of 5,447, and the convictions for drunkenness there, according to this Return, were 1 in 286; while in the archdiocese of Hospital, with a population of 5,790, the convictions for drunkenness were 1 in 156. In New Pallas, in the diocese of Cashel and Emly, where closing is adopted, the convictions for drunkenness were 1 in 212, in a population of 10,520; while at the same time in the petty session district of Abbyfeale, with a population of 10,294, the convictions for drunkenness were 1 in 572, against 1 in 156 in Hospital, which is in the archdiocese where there is Sunday closing. The next is the petty session district of Munroe. The convictions there in the archdiocese of Cashel were 1 in 833, with a population of 6,665; while in Bruree, with a population of 4,426, the convictions were only 1 in 1,475. Or, in other words, in places where there was Sunday closing the convictions for drunkenness were 1 in 833, and where the public-houses were open the convictions were only 1 in 1,475, or a little more than one-half. In the next case I find in Ballyneety, with a population of 7,430, the convictions were only 1 in 391; while in Glin, with a similar population, there was only 1 conviction in 517. I need not go fuller into this, Sir. But the reason of these figures is very readily accounted for. If you prevent the respectable public-houses from opening on Sunday you drive the people who want to get refreshment and to get drunk into the shebeen houses, and you increase intoxication, because men who take home drink with them on Saturday night will give it to their wives and children, and they will be taught to drink, so that this Bill brought in for the purpose of lessening drunkenness will go far to increase it. I want to know what has been shown to this House to lead it to believe that this Bill will lessen intoxication? I believe there is not one man in this Assembly who would not vote for any measure which he thinks would have that effect. I believe this measure is an infringement of the liberties of the people, which will destroy the property of 16,000 or 18,000 of our fellow-countrymen without offering them any compensation in return, and I trust the Government will not allow so unfair and unjust a measure to pass even the second reading in this House. I beg to move the rejection of the Bill.

Amendment proposed, to leave out "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. O'Sullivan.*)

Mr. MURPHY: I beg leave to support the Amendment of the hon. Member for Limerick. I will not go into a discussion of the provisions of the Bill, but will remind hon. Members that this question has already been referred to a Select Committee of this House. If the whole question had not been gone into the last few years, and if that Select Committee had not unanimously reported against the provisions of this Bill—more than half of whom, when appointed, were in favour of Sunday closing—I think then there would be no farther occasion for taking any part in this discussion. But, as I understand the matter, it is this: The hon. Member for Londonderry (Mr. R. Smyth) has thrown out something like—I cannot call it an official—intimation, but something like an intimation, that the Chief Secretary for Ireland intended, if this Bill passes a second reading, to move that at least two portions of it, dealing with certain towns, be referred to a Select Committee to inquire into and report whether or not these towns shall be exempted from the operation of the Bill. That is what I understood the hon. Member to say.

Mr. RICHARD SMYTH: I merely quoted substantially, as well as I could remember, the language employed by the right hon. Gentleman on Friday evening.

Mr. MURPHY: I think it is right that the House should be put into possession of what has already occurred in relation to this matter. In 1867 this Bill was brought into this House for the first time. It was allowed to be read a second time on the distinct understanding that it should be referred to a Select Committee. That Select Committee was appointed, and evidence was taken before it, and, as I before observed, it was unanimously recommended that the principle of total Sunday closing should not be adopted, but that a modification of the hours of closing should be recommended. Upon the lines of that Report the legislation which took place so lately as 1872 was founded, and it was then believed that that was a final settlement of the question—at least, for some years to come. I will inform the House that all the Petitions which have been presented upon this subject—this great mass of so-called public opinion, to which the hon. Member for Londonderry has referred—these Petitions are, I believe, nothing more than the emanation of a systematised plan of action pursued by various associations, who, with ample funds at command, and with every possible means of procuring signatures, have been most industriously employed in getting them up. But looking at every Petition presented to this House in favour of this measure, what do I find? I find that they contain nothing in the world more than an expression of opinion on the part of the signatories that the closing of public-houses on Sundays would do that which every Member of this House is anxious to do—none more so than myself—repress intemperance. The question before the House is this—not what may be the belief of the signatories to those Petitions, but what is it as a matter of fact? Would the measure have the effect which those who have signed the Petitions say they believe it will have? Now, if I can show that so far from this belief being correct, it is directly, absolutely contrary to the evidence founded on official Returns from those who have the best opportunity of ascertaining the facts, I do say that this House ought not to give their undivided attention to that expression of opinion. The gentlemen who have signed do not know anything of the subject, but merely "believe" the case to be as set forth; and they express that opinion to the House. I will mention one fact. On the Select Committee which sat in 1868 the chief authorities in Dublin were examined—Mr. O'Ferrall, the Head Commissioner Police, the Chief Inspectors of the Constabulary, and others, and what was their opinion? They stated broadly and openly that so far from closing public-houses there being of any use it would absolutely intensify the evil; and they further stated that a great amount of drunkenness took place at the very hour when the public-houses were closed. Now, I mention that fact merely that this House may not be led away by the opinions of gentlemen, however sincere they may be, upon a question which is simply a matter of fact, and not of opinion. A very strange incident occurred in that evidence given before the Select Committee. Gentlemen in this House have often heard, and are perfectly aware, that in the archdiocese of Cashel the late Archbishop of that diocese succeeded in establishing a voluntary system of closing public-houses on Sunday. The Archbishop was examined before that Committee, and, in answer to a question, he stated that he came there prepared with statistics which he had got from his diocese, commencing with 1861, when the suppression of public-houses began, and ending in 1868—a period of seven years—and he said the effect of closing these houses had been to reduce the number of committals by one-half. But what, moreover, did he show? Because these figures are most useful by way of contrast and comparison with other places where the system of closing public-houses did not prevail. Why, in one instance, in one small town in the county of Tipperary, where the inhabitants were about 6,000 or 8,000, the number of committals for drunkenness on Sundays was exactly double the number in the city of Cork on Sundays with a population of 90,000 inhabitants. I merely mention that as a matter for inquiry, and to show that we must not take for granted what these numerous Petitioners have asserted, that the closing of public-houses on Sundays would diminish drunkenness. This House is, and always has been, anxious to effect social reforms; and we are all united in an earnest desire to see how best to check intemperance. I say, therefore, that if this Bill be read a second time, to refer the subject again to a Select Committee to inquire into and report. If the authors of this measure are so satisfied that public opinion is with them, if they can produce absolute striking proof that the closing of public-houses would effect their object, for Heaven's sake let them have the benefit of it, and not extend the measure to large towns. Let there be no fragment of an inquiry; let it be an open inquiry as in 1868; let those who are best qualified to give an opinion be summoned upon it, and let those who support these Petitions show the grounds of their belief. I feel it my duty, under existing circumstances, to oppose the second reading of this Bill. I do not believe it will effect the end desired. I do not believe that the parties for whose professed advantage it is sought to pass it require it. I presented a Petition to the House this evening signed by 14,000 working men and inhabitants of Cork against the Bill, and I simply ask—Is that any evidence of the great popular opinion in favour of it? I should rather think it was to the contrary. But, be that as it may, I protest against the passing of the measure. It will not effect the object; it will increase drunkenness, and intensify the evil while it professes to bring about good. It will despotically interfere with the habits and convenience of the large majority who are temperate, and will not prevent the intemperate from indulging in their courses, but rather stimulate them to an evasion of such a law, if passed. And, above all, there is another question mixed up with this. A large and influential trade has grown up under the sanction of the law; men have invested their capital largely in a legitimate trade, and if this Bill passes into law it will sweep away one-seventh of the entire profits of that trade. This House is asked to do, with respect to those who have invested their money, that which it has never yet done in any analogous case—namely, to deprive a body of men of the fruit of their investment and industry without any compensation whatever. The case of commissions in the Army were dealt with. Everybody knows that the sale of these commissions was absolutely illegal by Act of Parliament, yet a custom grew up, and what did this House do? It did not attempt to deprive the Army of that which had obtained a value, although it was illegal. In contradistinction to that, how is this question to be treated? No Committee is to be appointed on the subject, and these legal traders are to be deprived of their right. I do earnestly trust that the House will not come to that conclusion of forfeiting a man's property for what will be found to be an ideal and not a real good. Let men turn their attention to the repression of vice and intemperance by every means, if they can; let them look after the comfort of the people, find increasing recreation for them on the Sunday, and let them not oppose the opening of public parks. A great many men in favour of this measure oppose the increase of recreation for the people, and all kinds of innocent enjoyment which would be the best possible means of repressing intemperance. I protest against this Bill on this principle—that it of necessity lays down the doctrine that the great mass of the people in Ireland are intemperate. There is no reason for the passage in the Bill that the majority of those who frequent public-houses are intemperate. Let us legislate not for a minority but for a majority, and do not let the vices of the few override the comfort and convenience of the many. If this measure should pass, I warn this House that it will give rise to a similar feeling to that which visited England when a similar Bill was passed almost *sub silentio*, and the people rose almost in rebellion, and the Bill had to be repealed within six months. I will not detain the House longer, but beg leave to say that I shall support the Amendment of the hon. Member for Limerick.

Major O'GORMAN: I should like to say one or two words on this subject. This Bill—by-the-bye I have not seen it; I understand it is only printed to-day—this Bill is brought in for the purpose of soberising the people of Ireland. Now, let us see the way in which it professes to soberise the people of Ireland. It distinctly states this to the people of Ireland—"You—men, women, and children—drink as much whisky, beer, porter, everything intoxicating, as ever you like upon Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, and Sunday, but do not go into a public-house licensed by Her Majesty on Sunday, and you will be sober." That is the Bill; nobody can deny it. It allows everyone, old or young, to drink in his own house or in the house of his friend on Sunday, to bring his children to his friend's house, to bring his friend's children to his own house, and allows them to drink as much as they desire. There is nothing in this Bill which prevents their drinking where they like—drink in the field, drink *sub Jove frigido*. But do not drink on Sunday in places licensed by Her Majesty. I would remind hon. Members that the licences in Ireland are given with a certain degree of care for the people. A man is obliged to show that his house is comfortable, that he has good tables and good chairs, and is in a position to receive people comfortably on Sundays. The people who are licensed have to pay a large sum of money. Is faith to be broken with these traders? Sir, I say this Bill is an insult to the Queen herself. [*Laughter.*] I do say so, because the private houses of individuals are not licensed, and the liquor must be got somewhere. Where is it got? The hon. Member tells us where it is to be got. He says—"Go out on Saturday and get it. Fill your houses full of it. Drink it on Sundays, but do not drink in public-houses." That is the essence of the Bill. Now, I ask, is that a Bill likely to soberise the people of Ireland or any other country where it is adopted? It is not, Sir. For that reason, therefore, and I am most desirous of showing my anxiety for the sobriety of the people, I oppose the second reading of this Bill.

SIR MICHAEL HICKS-BEACH: I have always been very doubtful how far this measure will soberise the people of Ireland, and I have expressed my views upon that question more than once. But I think that the hon. and gallant Member who has last spoken has somewhat forgotten that it might be urged as an argument against his position that drinking in a field, *sub Jove frigido*, is not quite so tempting a thing as in a snug corner of a public-house—[Major O'GORMAN: In summer.] —and I suspect that the argument of the hon. Member for Londonderry (Mr. R. Smyth) would be that if comfort were diminished, drinking also would diminish. It occurred to me, from the speeches of the last three hon. Members who have addressed us, that they scarcely appreciate the position which this question has reached. Now, the House will remember that last Session, when the hon. Member for Londonderry made a Motion on this subject, I stated, on behalf of the Government, our views with regard to it, and I made a counter proposal to limit the hours of opening public-houses on Sunday. That proposal was fully discussed, and the House, by a large majority, expressed their preference for the Bill of the hon. Member for Londonderry. That, Sir, is one fact which the Government are bound to consider, and to which I hope the House will think they have shown proper deference. But still there is another fact. The hon. Member for the city of Cork (Mr. Murphy) spoke of what was likely to happen if a Bill were passed upon this subject *sub silentio*. Now, I doubt whether any question has engaged the attention of the House during the past three years upon which it could less be said that a Bill was likely to pass *sub silentio*. At any rate, I feel sure of this, that every person in Ireland has had by this time a full opportunity of knowing of the proposal for total Sunday closing of public-houses in Ireland, and of the probability that a measure would be passed upon the subject. Yet, Sir, I am bound to say that, although I do not attribute to the expressions of opinion which have been referred to by the hon. Member for Londonderry quite as much weight as he does, still I do attribute very great weight, indeed, to this, that there have been hardly any expressions of opinion on the other side. During the past autumn and winter — when certainly there must have appeared to people who take interest in this question every probability of the passing of a measure with regard to it—there have been, as far as I know, very few expressions of opinion on the subject at all, except those elicited by the advocates of Sunday closing. Well, looking at the matter from this point of view, I think the Government are justified in adhering to the decision at which they arrived last Session—that they would accept the judgment which was arrived at by the House on an occasion when they, to the best of their power, put their views of the matter fully before the House—that they would accept, I say, that judgment, and would allow this experiment to be tried. Then, Sir, I come to the point how far it is to be tried. Now, the House will remember that I stated last Session that in my view, based upon reasons which appeared to me sufficient, it was not advisable that total Sunday closing should be adopted in the larger towns. I based that view upon information which had been supplied to me in the ordinary way by magistrates and police authorities in those towns. I think there is great reason to fear that if a Bill for the total closing of public-houses in Ireland on Sunday was passed, with reference, we will say, to the city of Dublin, the towns of

Belfast, Limerick, Waterford, and Cork, one of these two things would happen—either there would be great and widespread evasion of the law, than which I can conceive nothing more detrimental to the cause of law and order in Ireland, or else, if the law were thoroughly enforced, there would be no little danger of riotous proceedings, which I am sure we should all deplore. Well, Sir, I based that opinion upon information which has been supplied to me. I never had an opportunity of fully stating that information to the House when I made the proposal which I felt it my duty to make last Session, that towns of above 10,000 population should be exempted from the operation of the Bill, and that the hours of opening public-houses in those towns should be merely restricted by a period of two hours. I am bound to admit that that proposal was not very favourably received. On the one hand, it was objected to by the advocates of total Sunday closing; on the other hand, it was objected to by some of those who opposed it; and I felt myself in the difficulty of being obliged, as I conceived in the interest of law and government, to make a proposal which, as it seemed then, might not be favourably received by the House. I am anxious—and I am sure in this the hon. Member for Londonderry will agree with me—that this experiment, if tried, should be tried with safety—that we should not go farther than we think, on the best evidence we can obtain, we can safely go. I feel the importance of placing before the House and the country all that can be said upon the subject by those who have had any special experience in the adminstration of the present law. I do not think that that opportunity would be afforded to me merely in a speech on a second reading or in Committee on the Bill; and, therefore, the proposal I make to the hon. Member for Londonderry and the House is this—that the Bill should be referred, after the second reading, to a Select Committee, that it there should be thoroughly considered and sifted, and should be adapted to what are admitted to be the different circumstances of town and country; but that that Committee should not, as has been suggested by the hon. Member for Cork, enter fully *ab initio* into the whole question of Sunday closing in Ireland—that we should take as settled the adoption of the principle of total Sunday closing, and that we should confine the evidence to be taken before that Committee to information bearing upon the applicability of the measure to those towns, the Dublin metropolitan police district, Belfast, Cork, Limerick, and Waterford in which, I am bound to say, there is by far the most danger that, if applied, it would not give satisfaction. In making this suggestion I can assure the House that I have no wish to delay the progress of the Bill. The present, however, is a very early period of the Session, and the Committee may enter upon their inquiry with every prospect that their work would be concluded before Easter, and the Bill may then return to the House and pass its several stages during the present Session. I am as anxious as the hon. Member himself that a question which has been so long agitated should be now finally settled, and that the experiment which the House last Session decided to make should be entered upon under the most favourable conditions of success. For these reasons alone I have made the proposal to refer the Bill to a Select Committee after it has passed a second reading.

MR. MELDON said, he confessed he had heard the statement of the Chief Secretary for Ireland with considerable satisfaction. The assurance he had given in the name of the Government that the question should be finally settled, and that they would not impede the progress of the Bill, was one that must give satisfaction to all their supporters. He must say he had been one of the most earnest and most strenuous supporters of the Bill, and one of them who had urged that they should give way in nothing, but that the Bill should be carried through in its entirety. They had no hesitation in saying, however, that if the Select Committee was appointed, the present Session would see them in possession of the Bill in its entirety. There were one or two points of view from which they might look on the proposed Select Committee. In the first place, from the point of view, as suggested by the right hon. Baronet, that it would be impossible to work out the Bill as it was at present framed; the second was the way in which the Bill might be made most useful and most beneficial for those who wished for it. He was perfectly willing to take an inquiry on this subject from either of these points of view, as he was confident they could, upon an inquiry whether such a Bill was wanted in the large towns or not, produce the strongest and most overwhelming evidence that it was most wanted in the large towns, and particularly in the city of Dublin. Were those places left out of the Bill, there would immediately be an outcry, and especially would there be one in Dublin, as soon as it was known that it was to be made a drinking place into which all those who desired drink might drift in on Sundays from Rathmines, Kingstown, and other townships near Dublin. Speaking of Dublin alone, it would be horrible to contemplate such a state of things. It might be, however, that there were reasons that would make it essential and necessary that Dublin and those large towns should be excluded; but if there were, he thought it most important that they should be laid before the House and before the Committee, and that it should be demonstrated that the passing of the Bill would seriously prejudice public interests or public convenience. He was most anxious that the Bill should pass, and especially that, when passed, it should be a success; and he certainly said, for himself, he was most anxious that the Committee's proposition that had been been made should be accepted in that House that night, and he trusted the hon. Member for Londonderry (Mr. R. Smyth) would see his way to accept it.

Mr. COLLINS said, he had listened with great satisfaction to the remarks of the hon. Member for the county Kildare (Mr. Meldon), who had taken an active part in the promotion of this measure; and when he found that a Gentleman whose experience on this subject induced him to accept as fair and reasonable the proposition that had been stated to the House by the Chief Secretary for Ireland, he confessed it seemed to him to be unnecessary for himself, who up to this time had taken a view of the question which was the opposite to that of the hon. Member, to discuss the matter further. He should not have spoken on the present occasion, but for an observation that had fallen from the right hon. Gentleman the Chief Secretary. He altogether concurred in the advisability of a Select Committee to deal with this subject; but he should greatly regret that the scope of that inquiry should be strictly limited to the effect the Bill might have on the large Irish towns to which the right hon. Gentleman had referred. Those five large corporate towns—Dublin, Belfast, Limerick, Cork, and Waterford—were, of course, very proper and suitable subjects of inquiry by a Select Committee; but there were other towns also to which he would ask the consideration of the Chief Secretary similarly circumstanced with those he had named, but which he had omitted from consideration by the Select Committee. He did not desire to raise points of discussion, but would appeal to the Chief Secretary to extend the scope of the inquiry, and not to limit it too strictly to the towns he had named. He feared much that if it was limited too strictly there would be great dissatisfaction among the inhabitants of considerable towns which would be injuriously affected by the Bill. He could only say that if the inquiry was to be so strictly limited in that way he should have no alternative but to oppose any proposition of the kind.

Mr. CHARLES LEWIS said, that though he thought the Bill ought to be allowed to pass through the House in the ordinary way; still, as he understood its supporters were prepared to accept the recommendation that had been given them from the Treasury Bench, he should not oppose it. He thought, however, they should clearly understand what they were about. The statement of the hon. Member for Kinsale (Mr. Collins) showed the difficulty they would drift into if the terms of reference were not made clear. The hon. Member was the worthy Representative of one of the smallest constituencies in the Kingdom, and wanted the Bill to be so framed that persons might go before the Committee and give reasons why very small towns should be exempted from it. It appeared to him that the lines on which this great question was to be settled were perfectly well understood not only in that House, but out of it; but if they did not lay down those lines, they might be re-opening the whole question before the Select Committee, and the question might be treated in a very unsatisfactory way. He was not quite able to understand the extent of the suggestion of the Chief Secretary for

Ireland. They knew that last Session the right hon. Baronet had great tenderness of heart for cities of 10,000 population and upwards; but in the case of Londonderry the gift had not been received with gratitude—the citizens there saying they were much obliged, but would rather not have it. Within the last few weeks the gift of being exempted from the Bill had been repudiated a ta large meeting of the inhabitants. He was bound to mention that, in view of the extraordinary statement that there was no evidence as to the state of public opinion on the main question. That House had hardly risen at the close of last Session when there was a large meeting of publicans in Dublin, who took heart of grace and subscribed £2,000 to set public opinion going on the question, and enable the public to state their grievances against the Bill, and take measures for defending their rights and privileges, which were supposed by some persons in that House to be connected with the unlimited opening of public-houses. He had looked to the newspapers in Ireland for the results of that £2,000 subscription, but from what he could see there had been no outcome from it in the shape of public meetings and resolutions passed at them, and they might take it that, after asking for the delay of another Session to test the reality of public feeling in Ireland, the opponents of this measure had not been able to carry any expression of public opinion in their favour. He should have been well content that this great question as to the extent of Sunday closing should be decided by the House, instead of being referred to a Select Committee. Almost every Member of the House had voted either for or against the Bill on former occasions, and it would be difficult, if not impossible, to obtain a satisfactory and impartial Committee. The whole point was contained in this one question—Were there not overwhelming reasons why, if they determined to close in the counties, they should not also close in the towns?

Sir GEORGE BOWYER observed that, as on most other subjects, much might be said in favour of the Bill, and much also against it. The subject had been so much debated, however, that he did not think they wanted any long discussion on it. Now the more so, as he thought that if there was one subject on which more than another there was a preponderating body of evidence in Ireland, it was on this very question. He did not say public opinion was unanimous on the question in Ireland; but there was a preponderance of opinion in favour of the Bill. In proof of that he might mention that in the county he represented, he meant in the diocese of Ferns, public-houses had been closed on Sunday for a long time by Episcopal authority—the authority of the Catholic Bishop of Ferns, but with the full consent and approval of the people of all denominations. That was strong evidence in favour of the Bill from one of the largest counties in Ireland. With respect to the suggestion of the hon. Member for Kinsale (Mr. Collins), for extending the scope of the inquiry of the Committee, he thought it would be better not to do so; because, if the Committee were allowed a great scope, it would occupy a long time, and there would be no satisfactory result. It was quite enough to take some of the large towns as typical of the rest. He hoped the Committee would be able to come to a practicable conclusion within a reasonable time.

Mr. SULLIVAN said, he hoped the House would appreciate the indisposition of the supporters of the Bill to enter into any lengthened discussion just now, and that their abstention would not be quoted against them hereafter. They took it that the discussion was virtually concluded by the proposition now before the House; but it was indispensable for the character of the Government and the success of the measure, that they should understand exactly the terms of the reference. They were, first, that the Bill was accepted in principle; secondly, that the inquiry was only as to the five large towns of Ireland; and, thirdly, how and when to apply total Sunday closing in those towns in such a manner as to lead to a successful issue. He hoped it would not be taken to be a subject of inquiry whether those five towns were to be excluded *in toto* from the operation of the Bill; for, as the hon. Member for Londonderry City (Mr. Charles Lewis) had shown, it would not be deemed a benefit to some of the cities proposed to be excluded. They could not follow the hon. and gallant Member for Waterford (Major O'Gorman) and the hon. Member for Cork (Mr. Murphy) into the general discussion of the merits of the Bill; but as statistics had been quoted on the authority of Lord Emly, he would observe that there was nothing more misleading than imperfect statistics. The House had not been told by the hon. Member for Limerick County (Mr. O'Sullivan) that those statistics referred to only two months of the year 1874, and to two months of the year 1876; and with regard to the two parishes of Hospital and New Pallas, he might say that they were famous for the riots of the Three-Year-Old and the Four-Year-Old, factions that had given plenty of employment to Her Majesty's justices, and also to the ecclesiastical authorities. No two more combative parishes could have been selected, and as for Lord Emly's statistics, his brother Poor Law Guardians evinced their appreciation of them by carrying a Petition in favour of the Bill, though not unanimously. Reference had been made to the probability of rioting in Ireland consequent upon the passing of this Bill; but he thought the hon. and gallant Member for Waterford was altogether wrong in endeavouring to make the House suppose that there would be rioting in Ireland in order that the people might enjoy the ancient privilege of getting drunk.

MAJOR O'GORMAN: I rise to Order, Sir. I never said anything of the sort. I detest drunkenness as much as the hon. Member does.

MR. SULLIVAN begged the hon. and gallant Member's pardon if he had at all misunderstood him. As to all these prophecies about rioting put forward to alarm the House, no doubt they were not slow in rioting in Ireland occasionally; but he proudly affirmed that he never knew the Irish people break into riot for the sake of drink. Riots of that character had taken place in other parts of the Empire—there had been disturbances in England a few years ago when early closing in the week days was enforced. But once again he proudly claimed that no one could point to an instance in which tumult or disorder had resulted from applying restrictions to drinking in Ireland.

MR. GOULDING observed that the clergy of all denominations had asked for the Bill, and a majority of the working men were in favour of it; and if the large cities were to be exempted from it, they would be made the receptacle of all who wished to indulge in drink.

MR. RICHARD SMYTH regarded the proposals as being made in good faith, and he was quite sure that the right hon. Baronet was anxious to have a Bill carried through the House during the present Session. He was confident that he might rely on the assurance of the Chief Secretary that the scope of the instructions to the Committee would not be enlarged under any pressure whatever. He thought that, all things considered, they had reason to be in a measure satisfied with the proposal from the Treasury Bench; and he hoped the Committee would make such a Report to the House as would not only enable Her Majesty's Government to fulfil their duties and keep the peace in Ireland, but give satisfaction to the supporters of the Bill. With these observations he begged to recommend all his hon. Friends who had interested themselves in this measure to accept the proposals of the Government.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 194; Noes 23: Majority 171.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* to a Select Committee.

Ordered, That it be an Instruction to the Committee, that they do take Evidence as to the applicability of the measure to the Dublin Metropolitan Police District, the town of Belfast, and the cities of Cork, Limerick, and Waterford.

And, on February 16, Committee *nominated* as follows:—Sir MICHAEL HICKS-BEACH, Mr. LAW, Mr. BRUEN, Mr. MELDON. Mr. JOHNSTONE, Mr. SMYTH, Mr. MULHOLLAND, Mr. MAURICE BROOKS, Lord CHARLES BERESFORD, Mr. MURPHY, Mr. CHARLES LEWIS, Mr. MARTEN, Dr. CAMERON, Mr. SULLIVAN, and Colonel COLE:—Power to send for persons, papers, and records; Five to be the quorum.

And, on February 23, Mr. ION HAMILTON and Mr. O'SHAUGHNESSY *added*.

VALUATION OF PROPERTY BILL.

LEAVE. FIRST READING.

Mr. SCLATER BOOTH, in rising to move for leave to bring in a Bill to "consolidate and amend the Laws relating to the Valuation of Property for the purposes of Rates and Taxes," said, he would refer very briefly to the fate which befell the measure of a similar character which he introduced in the first week of the Session last year. He could assure the House that the measure which was then proposed by him, and unreservedly assented to and approved by the Government, was *bonâ fide* intended to be proceeded with in the usual course, and, if possible, to be passed into law. At all events, it was intended to take the opinion of the House upon it in the early part of last Session; but about the time when the second reading should have come on, the debates on the Royal Titles Bill interfered very much with the Government Order of Business, and before another opportunity arrived for bringing it on, great interest was exhibited on the subject, both in the form of Petitions to the House and of deputations to himself, showing that the matter could not be brought to a final issue without a much greater expenditure of the time at the disposal of the Government than he could have hoped to secure for his Bill. Again, the Highways Bill was introduced before Easter, but the two Bills were correlative and required to be proceeded with simultaneously. On these grounds it was determined not to proceed with the measure last year, and he hoped that the time spent on its details might not have been spent in vain, and that the communications which he had received would so far have conduced to a satisfactory result that he might be enabled to present the Bill this Session in a shape more likely to escape the opposition to which it had been formerly liable, and to facilitate its passage through the House. In introducing it last year he had referred to the precedent of previous measures introduced by successive Governments upon the same principle—namely, by the Government of Lord Derby, of the right hon. Gentleman opposite (Mr. Gladstone) and of the present Government. Measures had been laid before Parliament by the present First Lord of the Admiralty (Mr. Hunt), by the right hon. Gentleman opposite, who was then President of the Poor-Law Board, (Mr. Goschen), and afterwards by the right hon. Gentleman succeeding him in that office (Mr. Stansfeld) in order to carry the same principle into effect. He also relied a good deal, in submitting the measure to the House, upon the absurdity of the present system which it was proposed to supersede. That absurdity was, in short, this, that for the purposes of taxation, they had now the same description of property valued by three different authorities upon three different principles or bases of valuation. He did not wish, however, to rely exclusively upon that ground of argument—the symmetry and simplicity of their system—they had also to consider the wishes and feelings of the people. Symmetry in their system of government was not the first thing to be considered; but he thought that when it could be combined with administrative improvement it was a very desirable thing. The history of recent legislation upon the subject of these Bills was an interesting one. When the Poor Law Amendment Bill was passed some 40 or 45 years ago attention began to be more and more directed, than had hitherto been the case, to the systematic levying and expenditure of parish rates. Accordingly, within a few years of the passing of that celebrated measure, a Bill on the subject of local valuation was introduced and passed through the House by Mr. Poulett Scrope. That was in the year 1837, and the Bill laid down the principle defining what should be the basis on which the gross estimated rental should be calculated in terms which have been copied and never have been objected to in subsequent Acts of Parliament. It was effective for its object, but within a very few years it came to pass that some of the charges which had been cast on the parochial area alone were extended to the Poor Law Union area. In 1861 some very important changes in the law were accomplished by the transfer of the charge of lunatics to the Common Fund of the Union, and it was also provided by the same statute that the several parishes should contribute to the common fund in proportion to their rateable value. The additional importance thus given to the Common Fund in 1861 led to the necessity of a further important change in the law which was effected by the Union Assessment Act of 1862. By that Act the duty of assessment or valuation was transferred from the parish to the Union authorities. That Act was amended in 1864, and he mentioned that circumstance only for the purpose of stating that on his (Mr. Sclater-Booth's) Motion, an important clause was introduced into the Act, which required that the valuation list of the several Unions should be transmitted regularly to the clerk of the peace of the county. By the Act of 1865 the whole charge for the maintenance of the poor was transferred from the parish to the Union area. That was a most important change in the law and was made with the consent of both sides of the House. Two years after the passing of the Union Chargeability Act it was found necessary by his right hon. Friend, now Secretary of State for War, to avail himself of a Common Fund, levied over the whole Metropolis to an extent and in a way which experience had shown to have been productive of the most beneficial and valuable results. In 1867, therefore, we had a Common Fund set up for 30 or 40 of the most important Unions in the Kingdom, extending over the most important Province of the country and over an area containing one-seventh at least of England as regarded population. The House, however, would easily see that at that time there was no security that the various Unions in the metropolis would be rated on similar principles, and therefore one of the first Departmental acts of his right hon. Friend opposite (Mr. Goschen) was to pass through the House in 1869 a Valuation Act which provided the necessary securities that the Common Fund of the metropolis should be satisfactorily assessed and levied without any reasonable cause of complaint on the part of the various contributory Unions. Now, under the Metropolis Act it was provided that the inhabitated house duty and the property tax should be collected upon the valuation lists as settled by the various Union authorities. Therefore, under that Act we had the payers of the property tax under Schedule A and the payers of the inhabited house duty in the metropolis paying on a more accurately determined basis than the payers of those taxes in the country at large. A further illustration might be drawn from that Act. The three counties of Kent, Surrey, and Middlesex had an aggregate valuation of £29,000,000, and the contributions to the county rate were levied in these three counties according to the valuation lists which prevailed in them, except in those portions which lay within the metropolitan area. The portions of these counties which lay within the metropolitan area were four times as great as those outside, as regarded rateable value. The consequence of the present law was that, taking these counties, the ratepayers within the metropolis were paying at a higher ratio than the ratepayers outside it in the rural parts of the counties. The rateable valuation of the three counties was, as he had said, £29,000,000; that of the metropolis within these counties was £21,000,000. Another practical reason why it was important at the present time to proceed with this measure was that the expenditure under the operation of the Sanitary Acts was rapidly and daily increasing in importance. There were many local board districts constructed in times past which overlapped the borders of two or more Unions, and we had this anomaly—that the local board was now restricted by the Public Health Act to the valuation lists, as settled by the assessment committees of the Unions, so that the rate is levied by the local board authority upon the different bases which may happen to obtain within their area. Another reason which would commend itself to the House was that the want of this Valuation Bill stood in the way of very considerable administrative reforms which were otherwise necessary. For instance, under the Poor Law Amendment Act there was power to take a parish from one Union and to put it into another, and recently there was a case where a parish was added to an outside Union; objection, however, had been taken to the transfer, because of the transfer of burdens which it involved under the different valuations in the two Unions in question. Again, under the Act of last year additional powers were conferred on the Local Government Board in respect of the re-distribution of parishes and adding them to other Unions; but for the want of larger powers, improvements like these were constantly hampered. For instance, it was obvious that the highway rate ought to be charged upon districts instead of upon parishes, in order to secure its equal pressure, but that could scarcely be done until there was a more uniform valuation of the property through which those highways ran. These new valuation lists were desirable as the basis on which to assess the property and income tax, and last year he had stated that the Government were willing to base the property tax on the valuation list; but that, if so, they ought to have some voice in preparing the list. There were other grounds why this should be, for it might surprise some hon. Members to hear that the Government were now the largest ratepayers in the Kingdom. He did not now speak only of the subventions paid by the State in aid of local rates, toward the cost of police, lunatics, and other local charges, which would alone give the Government a right to look somewhat jealously to the valuations throughout the country generally. But the Government were now assessed, or rather paid contributions in lieu of rates, to a considerable extent, the rateable value of the property on which they regularly contributed being not less than £586,000, situated in 345 parishes, and probably not fewer than 200 Unions, scattered over the whole of the country. The Government, therefore, had some right to require that the valuation of the Kingdom should be placed upon a sound footing, be governed by similar principles, and assessed by similar authorities, and with equal justice. Upon all these grounds the Government had come to the conclusion that the want of a proper Valuation Bill prevented administrative improvements which might otherwise be made under existing powers and under powers which might hereafter be conferred. The intention of the Bill was not to vary the principles of valuation at present recognized, but only to make them more effective, more uniform, and more equal. It would contain two main provisions—first, the empowering of the Government officer or surveyor of taxes who would have some voice in furnishing information and in objecting to the different valuation lists as prepared by the overseers, and, secondly, that a certain scale of deductions laid down in the Schedule should not be departed from, more or less. These two provisions would insure greater uniformity in the two columns of the rate-book — namely, gross rental and rateable value. The Government had been urged last Session by his hon. Friend the Member for South Norfolk (Mr. Clare Read) to adopt a principle which was said to have worked well in Scotland by setting up a new system of valuation by means of County Boards. Having considered the subject, however, with great attention, he was unable to adopt this system. In his opinion the Union was a quite sufficiently large area to be administered for the purpose of valuation. It was well known that for the last 40 years the Guardians had been entrusted with very large administrative duties; they had with much justice and accuracy revalued the different Unions; had put the existing law into operation upon their sole authority, besides having a large portion of local expenditure to collect, control, and be accountable for to their constituents; and had exercised those powers with so much justice, that he saw no ground for disestablishing them from their present position with regard to valuation, or for entrusting that duty to a body representing the larger but uncertain area of a county. A county body could not have the same minute knowledge of the detailed circumstances of different localities, and would, as he thought, so far fail to give satisfaction that even a Government officer would be considered preferable as a guiding authority upon the subject. As a rule, throughout the Kingdom the county administration did not exercise the powers they now possessed for effecting a county valuation upon their own authority. A Return issued upon this subject at the instance of the hon. Member for Northumberland (Mr. Ridley) showed that in 12 counties of England and Wales the property tax valuation was relied on exclusively as the county rate basis. In 17 counties the valuation lists formed the basis, and in 17 others both those sources of information were resorted to. In five counties only was there a separate system of valuation, or any application of the powers which counties now possessed. The Bill, therefore, did really what the counties for the most part were doing for themselves, and the counties might well rely upon the valuation lists, just as the Government were prepared to look to the valuation lists for the property tax. The Guardians were now the sanitary authorities in rural districts; their functions had undergone an important change under the Public Health Act of 1875; and were scarcely to be distinguished from those of the councils which exercised similar authority in towns. Hon. Members knew that a very important change in regard to the Guardians was conferred upon them also by the Education Act of last year—that of appointing education committees, so that he could not see why they should not have the same functions as those enjoyed by town councils, but he was far from saying that improvements might not be made in the election of those bodies and the system generally, though he thought they must rely upon Union areas. Possibly the foundation might be laid for the establishment of a common County Fund, equally leviable over the whole county whether in one Union or the other. For the want of such a fund there was a difficulty in framing the Highways Bill, which he hoped shortly to introduce, and the principal feature of which would be the establishment of a common County Fund in aid of the principal highways of the county. There was also a growing difficulty in reference to the provision of accommodation for pauper lunatics. In the metropolis, provision had been made by means of the Common Fund for the proper and humane custody of 5,000 harmless chronic lunatics at a considerably less cost than was incurred in county lunatic asylums, and it would be easy hereafter under the provisions of the Bill he was explaining to spread similar charges in the same manner. Many Poor Law reformers were of opinion that a portion of the cost of maintaining habitual in-door paupers should be spread over a wider area than at present; but what he desired to do was to say generally, as the result of his experience in the Office over which he had the honour to preside, that there were other charges coming under different heads of local administration which might be dealt with in future measures, but the questions so involved were incidental to the present measure, the want of which stood in the way of a great deal of useful legislation, which the Government, the House, and the public might desire to see accomplished. He might mention before sitting down that since last year there had been many alterations in the draft of the Bill. In the Bill of last year it was proposed that rent should be regarded as the minimum of value, but this proposal had been omitted from the present Bill, although he did not disguise his opinion that rents rightly ascertained would, under the scheme of the Bill, be regarded more closely now than in former times as the true criterion of value. The Bill would also differ from that of last year as far as it described the status and functions of the surveyors of taxes in relation to the valuation lists. It would provide that in the different tribunals where objections to valuations contained in the lists were admissible the surveyors of taxes should take their places as ordinary objectors. In the Bill of last year it was proposed that the county magistrates should appoint committees to take part in the preparation of the valuation lists; but this was omitted from the present Bill, because the Government was satisfied from the opinion of many of the most experienced officials in the country that such a system was unnecessary; and it was proposed further that the re-valuations should be made once in five years instead of once in seven, as proposed in the Bill of last Session. A proposal in the Bill which was not contained in the measure of last year was one which would establish a means of appeal direct from the Assessment Commissioners to the High Court of Justice, where this course might be deemed necessary, in order to determine points of the highest importance as affecting the assessment of properties held by manufacturing, railway, canal, public companies, and other parties owning properties of great value. This had been done to save expense, and to secure uniformity in the principles upon which property was in future to be valued in the country generally; but in all cases ratepayers would have the same power of appeal as at present. In conclusion, he would make an appeal to the House whether, after the sifting which this measure had so anxiously and deliberately undergone throughout the whole of the country, they would exercise the power which they possessed of severely criticizing the 100 clauses which it contained. These clauses were for the most part re-enactments of existing laws. The Government did not propose to vary or depart from the principles which had been laid down by the Legislature for a great number of years. They only proposed to consolidate the present laws and to improve the administration of them, and thus to secure greater uniformity throughout the country—to bring, in short, the whole subject into one comprehensive code which should guide all local authorities in the execution of their most important duties. The Government had no wish to find fault as a general rule with the present administration of the laws, but they merely desired to improve a system of local government which had been somewhat neglected. In accepting the Bill he believed that the House would lay the foundation of a great deal of useful reform. He was sorry that he had had to trouble the House with so much detail, but he had felt it to be incumbent upon him to place the whole subject in the fullest way before them, and to express his earnest hope that the attention of the House would be directed to the new materials of the measure now placed before them, and that they would not be disposed, as he had before observed, to enter fully into the discussion of every clause and sentence, which, if done, might lead to a great and unnecessary waste of time. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. WHITBREAD said, he was sorry to find from the speech of the right hon. Gentleman that the Government had not advanced one step in reference to this subject since last Session. The Bill of the right hon. Gentleman would have to be criticised in detail on the second reading, and he would not, at this moment, discuss the question whether or not the Government had taken a wise step in associating a Government officer with those whose duty it would be to make the re-valuation. He wished, however, to touch upon the part of the right hon. Gentleman's speech which dealt with the future—he was afraid not the immediate future—of local government. Those who took an interest in these matters might be divided into two classes; one class would go at once to Imperial funds for every relief they could advocate, and the other class was composed of those who thought that any subventions from Government or Imperial relief of any kind would be utterly useless without great and far-reaching reforms in our system of local government. The first class would, doubtless, be gratified by the Government subvention proposed to be given under the provisions of the Prisons Bill; whereas the second class would find that all they had to trust to were the large but vague promises of the right hon. Gentleman which might or might not be carried into effect some three or four Sessions to come. If the Government stood still there was one thing, however, which never stood still, and he felt bound to direct the right hon. Gentleman's attention to the vast and rapidly increasing debt which had been incurred by the different local authorities, and he should be glad if the right hon. Gentleman would tell the House what was the total amount of the public indebtedness under that head; its rate of increase, and the estimated cost of the various claims which were being urged, and which would involve its still further increase. In his opinion, the policy of the Government was short-sighted and bad, because doling out a number of "sops" of the character proposed would have no effect in keeping down the rates. In the course of time people would not tolerate any further increase in the amount of the rates, and, consequently, works of the first necessity would have to remain unexecuted. He was, however, glad to find that the Government had adopted the Union as the unit of local self-government, though he thought that the indoor relief might have been cast upon a wider area. He regretted that the right hon. Gentleman had not touched upon the subject of the simplification of areas or on the means of connecting the different areas either by County Boards or by any other machinery, which would be the only way to secure economical management. He had no hope of any such economy being effected in the absence of such provisions, and trusted that the right hon. Gentleman would give the House an earnest for the fulfilment of his promises for the future by placing upon the Table a Bill which would give effect to the views of those who strenuously advocated local reforms.

SIR WALTER BARTTELOT thought that the right hon. Gentleman had placed his views very clearly before the House, while the statement of the hon. Member opposite (Mr. Whitbread) should have been reserved for the second reading of the Bill. He would refrain from discussing its provisions until they were laid before the House, and simply rose to express his opinion that the right hon. Gentleman had not shown that his Bill would place the rating of the country upon a sound and satisfactory basis, which was in truth the main reason for introducing the Bill. His principal objection to the measure was that it would leave the initiation of the assessment in the hands of the overseers as before. A very large practical experience had shown him that the rates in different Unions, although adjoining, were far from being equal, and in order that they might be placed upon a fair and reasonable footing there should be some fresh general valuation made throughout the counties. He approved the suggestion which had been made by the right hon. Gentleman the Member for the City of London (Mr. Hubbard), last year, that the county and other local rates, as well as the income tax, should be made upon the ratable and not upon the gross estimated value of the property. The whole matter, however, was subject for further consideration, and he trusted it would receive that consideration and discussion before the Bill went into Committee.

MR. CLARE READ said, he wished to put the right hon. Gentleman right with regard to the nature of the Motion he had placed upon the Paper last year. By that Motion he had sought to have the powers of appeal which now appertained to quarter sessions transferred to County Representative Boards, and he must deny it would have the effect of extinguishing the present assessment committees. The right hon. Gentleman had hinted that it might be expected in the future that the expenditure for lunatics, main highways, and in-door poor would be spread over the counties. That, in itself, he thought, would be a very strong argument in favour of County Representative Boards.

MR. RATHBONE said, he shared in the disappointment expressed by the hon. Member for Bedford (Mr. Whitbread) at the meagre character of the measure. The right hon. Gentleman opposite, instead of proposing to give additional powers to local governments and to relieve them from that interference in details which was now overweighting his own Department, had brought forward a Bill which was likely to add even more work to that Department. The question of our local administrations was one of the great questions of the day; and he regretted that there was no sign, either out-of-doors or in the declaration of the Government, of an attempt being made to frame anything like a comprehensive scheme of reform on that subject and to work it out. Unless some systematic plan were laid down, all their legislation of that kind would do little more than add to the existing confusion. He did not say that what he suggested could be effected in a Session or two; but some general plan ought to be formed in the mind of the Government and then all their Bills should be made to work it out. To accomplish that object, with the least disturbance of existing interests and the least interference with popular prejudice, he thought it would probably be necessary to resort to the expedient of a Royal Commission.

MR. STANSFELD desired to guard himself against being supposed to agree with the last speaker that the best method of dealing with the large problem of local government would be by the issue of a Royal Commission on the subject. It would retard rather than advance legislation, and would in reality accomplish no solid good. He welcomed the Bill as far as it went, but it was not a sufficient instalment of reform of one of the most pressing questions of the day. He acknowledged it was a sound, useful, and business measure nevertheless, and in response to the appeal of the right hon. Gentleman, when it got into Committee it would be his duty to offer assistance, in order to secure its enactment. He had always endeavoured to look at questions connected with local government wholly irrespective of Party considerations; but he could not profess to be satisfied with that Bill, good and practical though it might be, as a sufficient instalment for the present Session of that reform of our system of local self-government which both the present and previous Governments had admitted to be necessary. He thought, on the contrary, that the time had come when some kind of plan, some outline of future, if not present, legislation should be devised which might give some encouragement and hope to those who took a deep interest in that great question. He regarded the proposal in the Bill to create a county fund with some jealousy, if there were to be no county representatives or administrative body to control its expenditure; and indeed he regarded with similar jealousy some of the other imperfect contrivances which the right hon. Gentleman had mentioned as substitutes for the time being of a greater measure of local government—the creation of some system of county administration. The sooner they addressed themselves to the creation of some system of county administration the better; and, therefore, either on the second reading of that Bill or on some other early opportunity, he should feel justified in drawing the attention of the House to the question of local government generally.

MR. SAMUDA observed that an important matter to be considered was this—that as a rate must be carried out with totally different machinery by the various Boards of Guardians, they would have what would really amount to a differential duty by reason of the Bill not clearly specifying that which should be rated and that which should be left out of rating. At the present time, for instance, machinery was rated in one parish but not in another, and it was of the utmost importance to the interests of trade that the matter should be settled. Even the law failed to deal with this satisfactorily, for when litigation had occurred there were most conflicting judgments, and even if they could be reconciled, it was of great importance that when a new start was made on the subject of rating, such as he conceived this Bill to propose, that it should be clearly settled by the Legislature to relieve all doubts, and he would say all excuses, for burdening trade with the vexatious exaction that was often sought to be imposed on it by treating machinery, the capital and stock-in-trade of the manufacturer and tenant, as a matter in any way subject to rates which were intended only to apply to freehold and leasehold property.

MR. SCLATER-BOOTH, in reply, said, he fully endorsed the sentiment expressed by the right hon. Gentleman opposite (Mr. Stansfeld), that these Departmental subjects ought to be discussed without Party bias. He would also remind the House, in answer to the right hon. Gentleman's remark that the Bill would be an insufficent instalment of reform in local taxation, that he proposed within a few days to re-introduce the Highways Bill of last year with some alterations. He should have been very glad if those two measures could have been passed last Session; but the right hon. Gentleman opposite must be aware of the difficulty which a Minister in charge of a particular Department had to contend with in securing sufficient time for the consideration by the House of the Bills he might have to bring in. Moreover, it should not be forgotten that since he had been at the Local Government Board he had succeeded in passing various measures connected with his Department through the House. Since coming into office the Government had passed several important measures akin to this subject, all of which he believed would be found to tend towards a harmonious whole. He therefore felt bound to protest against the assumption that they had practically done nothing. Apprehensions seemed to be entertained by some hon. Members with regard to an increase in the amount of local indebtedness; but the House ought to bear in mind that the great mass of local expenditure was incurred not by the Guardians, but by the town councils. On the whole, he believed the Union area would be found to be the most advantageous for the purpose in view; while with regard to the difficulty of rating machinery which had been alluded to by the hon. Member for the Tower Hamlets (Mr. Samuda), it would probably be smoothed away by the Bill, or, if it continued to exist, it would readily be settled by the easy, inexpensive, and simple form of appeal which was provided. If the Government had wanted to do nothing, they could not have done better than adopt the suggestion thrown out by the hon. Member for Liverpool (Mr. Rathbone), and refer the whole subject to a Royal Commission; but they preferred dealing with it to the best of their ability. By the adoption of that suggestion, legislation might have been looked for in the Greek Kalends. He had certainly in the course he had taken laid himself open to the charge of not producing a comprehensive measure; but he thought he had done enough in the way of detail to show that his attention had constantly been directed to this subject, and he had endeavoured so to shape the measures he had introduced as to make them fit in with the local administration of the future when it came to be dealt with on a large scale. He should certainly be very reluctant to commit the Government to a comprehensive scheme so long as he had not at his disposal the means of carrying it out. He had not those means at present, but the Bills he had brought forward had contributed, he believed, in a very material degree to the improvement and simplification of local government in this country; and if he had the good fortune to be able to pass this and one or two other measures which he proposed to introduce in the course of the Session, he hoped he might with propriety take credit to himself for having furnished an important contribution to what was undoubtedly a great and important work.

Motion *agreed to.*

Bill to consolidate and amend the Laws relating to the Valuation of Property for the purposes of Rates and Taxes, *ordered* to be brought in by Mr. SCLATER-BOOTH, Mr. CHANCELLOR of the EXCHEQUER, and Mr. SALT.

Bill *presented*, and read the first time. [Bill 63.]

PATENTS FOR INVENTIONS BILL.

LEAVE. FIRST READING.

THE ATTORNEY GENERAL, in rising to move for leave to bring in a Bill for consolidating with Amendments the Acts relating to Letters Patent for Inventions, observed that the Bill in many respects was a similar measure to, though not identical with, that introduced in "another place" by the Lord Chancellor in 1875, and which was again passed by the Upper House with some alterations last year. Everybody would acknowledge the importance and interest of the subject. The prosperity and pre-eminence of our manufactures was to a great extent due to the inventive genius of the people of this country; and if that prosperity and pre-eminence was to be maintained it would be necessary to protect and encourage inventions as far as that could be done judiciously and without imposing any undue fetter or restraint upon trade. At one time an opinion prevailed pretty extensively that to reward inventors by conferring on them the right exclusively to manufacture and sell their inventions was contrary to public policy and detrimental to the community, and that some other mode of rewarding inventive genius might be discovered. But within recent years the matter had been very fully and fairly discussed with an opposite result; and the Royal Commission of 1863 and the Select Committee of 1871 arrived at a conclusion favourable to the maintenance of the Patent Laws, though the latter body suggested several important alterations and Amendments in them. Additional evidence in favour of the expediency of maintaining Patent Laws was afforded by the fact that a number of gentlemen representing different countries and thoroughly conversant with the subject discussed the question in Vienna at the time of the Exhibition of 1873, and passed a resolution in favour of the principle of such laws. A similar opinion had been expressed at a number of meetings held since then in this country. He thought he might, therefore, assume that the feeling which prevailed some time ago antagonistic to the Patent Laws had died away, and that if there was not complete unanimity, there was at all events a preponderance of opinion now in their favour. Of course, the Bill which he proposed to introduce was framed on the theory that there ought to be some Patent Laws rewarding and encouraging inventors, and the only question really to be solved was how to frame them so as to secure the greatest possible benefit to the inventor without producing detriment and disadvantage to the manufacturer. Now, this was a Bill to consolidate, as well as to amend, the law; and, as the House was aware, the law as it at present stood with regard to the procedure as to Patents was contained in the Patent Law Amendment Act of 1852 and some Acts which had been passed since to amend it. No doubt those statutes placed the law on a much better footing than it was before, but many defects in the working of the system had since been discovered, and until those defects were removed it could not be said that the Patent Laws of this country were satisfactory. He would point out what appeared to him to be the most striking of those defects, and would explain as he went along how it was intended by the Government to remedy them. The first objection he had to make to the working of the present system had reference to specifications. It was almost, if not absolutely, the universal practice to file in the first instance a provisional specification, and thereupon to receive provisional protection, as it was called. The period of protection was six months, and during that time the provisional specification was kept secret. Before that period elapsed application had to be made for Letters Patent, and they were usually granted, unless successfully opposed, on condition that the inventor should within a certain time file a further specification, which was called the complete specification, describing accurately and distinctly the nature of his invention, and the mode in which it was to be carried into effect. Now, that was, he thought, a bad system, because, in the first place, those who were interested in opposing the grant of the Letters Patent had to do so in the dark, having really no opportunity afforded them of ascertaining exactly what it was the applicant wanted to patent. All they knew was that certain advertisements had appeared describing generally the sort of thing for which provisional protection had been obtained. There was another disadvantage: From the moment the applicant received the Letters Patent, being sealed he was armed with the means of bringing actions for infringements of the Patent; in fact, he was armed with the means to a very great extent of levying black mail, because, although his contrivance might be as old as the hills, and although his Letters Patent might be, for a number of reasons, perfectly bad, and although anybody who should be bold enough to meet him in a Court of Law would have an easy victory, yet most people had an objection, not, perhaps, altogether unreasonable, to embark in law suits, and rather than encounter an action for damages for an infringement of the Patent it often happened that they preferred to pay royalties for the use of the contrivance. It seemed to him, then, that the true policy would be not at once to give Letters Patent to a man, trusting him to disclose its nature afterwards, but to give ample notice to the parties interested that they might be enabled to show, if they could, that the Patent ought not to be granted. There were other reasons which he would not at present go into for objecting to the existing system. In order to remedy this state of things it was proposed that when the applicant filed his provisional specification, as allowed at present, there should be an examination for the purpose of ascertaining whether it properly described the contrivance, and whether the contrivance was a fitting subject for a Patent, and it was further proposed to give him a longer period of protection—namely, a year, or, if necessary, more than a year, because many inventors, although they could describe their inventions in a general way, nevertheless required time to develop their ideas, and perhaps required the resources of third parties to aid them in experiments. During that period he thought it reasonable to provide that no action should be brought against any one for an infringement of the Patent, and before the period expired the applicant for Letters Patent would have to file a complete specification, which would be made public, submitted to examination, and then referred to the Law Officers and other authorities, and if either the applicants or the opponents were dissatisfied with the decision arrived at, an appeal would lie to the Lord Chancellor. Under this system it would be secured that before Letters Patent could be obtained a complete specification would be laid before the public, an opponent would not have to oppose in the dark, a patent would not be given for that which ought not to have a patent, and the petitioner and the inventor himself would in some respects be a great deal better off than before. The next, and a very striking defect in the present system was that there was no adequate examination of specifications. No doubt they were examined by the Law Officers, but they flowed in in great numbers—sometimes 100 a-week—and it was very difficult for those Officers to find the time to examine them, and even if the time were found, they had not the materials before them to enable them to make a complete examination. The want of examination operated as a hardship against the inventor himself, because he was, in consequence of the ease with which he obtained his specification, frequently lured on into expenditure which he could ill afford, to find when he had spent his money that the outlay had been perfectly useless. It was also a great detriment to the public that Letters Patent were given which ought not to be granted, for every Patent so granted had, he maintained, the effect of having an undue restraint on trade. That state of things he proposed to obviate, and for the future the complete specification was to be subject to examination by a body of examiners which would be created by the Bill for the first time, for the purpose of ascertaining whether it was in proper form and whether the invention was a subject-matter for a Patent. The examiners would further have the important power of reporting whether or not in their opinion the specification disclosed a contrivance which was novel. That was a provision which would, he thought, be productive of great benefit, because no one could doubt that above one-half these contrivances were not novelties. When the examination had been concluded by the examiners they would report, and the specifications would then be made public and the matter would be referred to the Law Officers of the Crown, whose duty it would be to decide whether, under the circumstances, Letters Patent should be granted or not. As the law at present stood, the decision of the Law Officers if against a Patent was final, and that, he supposed, was one reason why they sometimes passed Patents which they ought not. He proposed, however, to give an appeal from the Law Officers' decision by the Bill, both to the applicant and to the opponents. But there was another defect in the law as it stood, and that was that there was no means of compelling a Patentee to put his contrivance into use. A Patentee, for example, who had invented some improvement in the manufacture of steel might practically monopolize the whole business, though the means at his disposal might be utterly inadequate to enable him to supply the public wants. In order to remove that defect, it was proposed that for the future if a man failed to put into use the invention for which he had obtained his Patent, say, for three, or, rather, four years, it should be competent for the Lord Chancellor if he found that Patentee had so acted without reasonable excuse to revoke the Patent and to grant licences to manufacture on such terms as might be deemed just, the Patent to be revoked if the Patentee refused to comply with the decision of the Lord Chancellor. That, he thought, would effect a very great improvement in the existing law, while the inventor could scarcely complain of such a provision as being unfair, because no man had any property by our law in his invention unless he obtained Letters Patent. As a reward of his ingenuity he had a monopoly thus secured to him, but it was only right that it should be subject to reasonable conditions. The next point of importance which occurred to him was the peculiar position in which a Patentee now stood with respect to the rights of the Crown, a position which was considered somewhat hard. Under the existing law Her Majesty was entitled to make use of a man's Patent in her workshops to any extent which the Government might think proper without paying a single halfpenny. It had, however, been recently decided that if the Crown engaged with a contractor who agreed to supply articles, in manufacturing which a Patent might be used, although the agreement was to supply the Crown with those articles, and nobody else, still the contract or would be subject to the payment of a royalty to the Patentee. It was, however, obvious that that liability might be got over by resorting to a very easy contrivance, for the Government, if they thought fit to do so, though he did not say they would, might make the contractor the servant of the Crown and his workmen the workmen of the Crown, and in that way deprive the unfortunate man of all remuneration. Now, that was a state of things which he did not think fair, and it was deemed far better that the Crown should have the most unlimited right to use a patented article, but that it should pay for the exercise of that right, and if the amount to be paid could not be settled by agreement between the parties, that it should then be settled by the Treasury or some other tribunal appointed for the purpose. Again, as the law stood it enabled a man to patent what was called a communication from abroad. He himself, for instance, might go to Belgium and be struck with some ingenious contrivance for winding up blinds, for which he might on his return to England obtain a Patent, although he had no merit in the invention, and could purchase the right to it abroad for a few guineas. That he did not regard as a proper state of things, and that in justice it was proposed to remove. He therefore proposed that no Patent for a communication from abroad was to be allowed, although every facility would still be given to those foreign inventors to have their inventions patented whom it was desirable to attract to this country. There was another very important point to which he wished to refer. At present Patents were granted for 14 years subject to certain conditions, but Her Majesty, through her Privy Council, had a right to prolong a Patent if she thought proper, and some rules had been laid down on the subject with respect to the usefulness of the Patent and the remuneration of the Patentee for his ingenuity and labour. It was, however, very difficult to apply those rules, especially to those cases in which a Patent right had been sold, and the Government had deemed it desirable that the right to apply for a prolongation should be done away with, and that instead a Patent should be granted from the outset for 21 years. This would be a great boon to the Patentee. There was also a provision in the Bill that a Patent should cease if it were not renewed at the end of the 3rd, the 7th, and the 14th year. At present it was necessary for a Patentee who desired a renewal to produce the Letters Patent themselves, but this difficulty would in future disappear, as he would only be required to produce the certificate described in the Bill. There were at present no means if a Patent had been accidentally allowed to expire to make an application afterwards for its renewal, but under a provision in this Bill the Lord Chancellor would be empowered to grant an additional period for applying for the renewal of a Patent. The Government also thought that the expense in the earlier stages of obtaining Letters Patent was too heavy and pressed with undue severity on the poorer class of Patentees, from whom inventions to a great extent proceeded. Therefore it was proposed to diminish by one-half the expense of obtaining a Patent. At present the expense up to the complete specification was £25, and it was intended to reduce it to £12 10*s*.

MR. SAMUDA, interposing, remarked that £25 was not the expense for the United Kingdom.

THE ATTORNEY GENERAL said, that, whatever the expense might actually be, it would be lessened by one-half. It was not proposed, however, that the duties payable at the end of the 3rd and 7th years should be diminished. Perhaps those duties were somewhat heavy, and operated rather hardly sometimes on the poorer Patentees; but it was highly important to the community that worthless Patents should be weeded out, and there was no more effectual mode of doing this than by making it obligatory on the Patentee at the end of a particular time to pay something like a substantial duty. As a rule the worth of a Patent could be ascertained in four years, and it was not unreasonable to enact that, prior to its renewal, something like a substantial duty should be paid. At the end of seven years, at all events, one would think that the advantages of a Patent would have exhibited themselves. If, however, a Patent turned out to be worthless, the Patentee would not pay the duty. It was proposed to impose an additional duty for the renewal of a Patent so as to give the Patentee a right to the 21 years, and it was thought that it would be better that this additional duty of £100 should be payable at the end, not of 14, but of 12 years, so that the public might be fully aware whether the Patentee intended to make an application for the extended time.

MR. MUNDELLA inquired whether duties would have to be paid at the end of the 3rd and 7th years, as at present?

THE ATTORNEY GENERAL replied in the affirmative, and went on to say that the present Commissioners were the Lord Chancellor, the Master of the Rolls, and the two Law Officers for England. It was proposed, however, to increase their number by appointing as Commissioners the Law Officers for Scotland and Ireland, and some gentlemen who were not lawyers, but who were conversant with manufactures, trade, and inventions. He had now described all the main provisions of the Bill, though he had not dwelt on many minor points such as the power conferred on a Court of Law when dealing with a Patent case to call in scientific assessors. [MR. MUNDELLA: Are the Commissioners to be paid?] The examiners would be paid, but the Commissioners would receive no salaries. Some of them, indeed, would not condescend to be paid, and if some were paid and others not paid, he did not think they would act together very harmoniously. Their duties would not be onerous, but they would have the general superintendence of the working of the system, and he did not think it necessary that they should be paid. These were the main provisions of the Bill, and in his opinion it would be beneficial to inventors, to manufacturers, and to trade generally; and, therefore, he moved the House that leave be given him to bring it in.

MR. DILLWYN said, he did not approve of some of the provisions of the Bill; but there was much in it of which he approved. He hoped to see the Patent Laws so amended as to prove advantageous to the inventor and the country; and he was glad that the present measure was introduced in the House of Commons, instead of in "another place." He hoped they would have a full discussion upon it. As, however, he understood the hon. and learned Attorney General's statement, he apprehended that the measure, without very considerable alteration, would not work well, and that its operation in its present form in a few years would tend to destroy the Patent Laws, and to render them perfectly useless. It would have a most discouraging effect, in his opinion, upon the class of poorer inventors. There were many inventions which had been pooh-poohed by the authorities and by the public for years which had subsequently turned out to be of the greatest value, and he entirely demurred to allowing any set of examiners to decide whether an invention was likely to be useful; that must be entirely a matter of opinion. He was sorry, too, that the hon. and learned Attorney General had not proposed to pay the Commissioners of whom he had spoken. The break-down of the present law—and there could be no doubt that it had broken down to a certain extent—was due to the fact that the work had been referred to gentlemen who could not possibly attend to it. In order to that work being properly done, he believed it was necessary that they should have able and first-class Commissioners, who should be properly paid. The existing law, if he remembered rightly, provided that the Commissioners should be the Lord Chancellor, the Master of the Rolls, the Law Officers of the Crown, and certain other persons to be appointed. These were the Gentlemen who were supposed to attend to the work; but no such persons had ever been appointed, and the consequence had been that it had been referred to subordinates—a result which was not, in his opinion, desirable.

MR. MUNDELLA said, in common with the hon. Member for Swansea (Mr. Dillwyn) he also rejoiced that the Bill which had formed the subject of the speech of the hon. and learned Attorney General had been introduced into the House of Commons. In that House there was a practical knowledge of invention, and the industry of the country was much more likely to be properly looked after than could be the case in "another place." In addition to that he was bound to say, after an experience of the way in which the question had been discussed on two occasions in "another place," that a most dangerous theory had been prevalent in that "place," and that Bills had been permitted to pass there which, if they had been allowed to pass the House of Commons also, and come into practical operation, would have proved ruinous to those who were affected by them, and he regarded the present Bill as a great improvement on those measures. The question was one of the utmost practical importance, and if they approached it with a determination to do what was just and right they would easily arrive at a satisfactory solution of the difficulty. Happily, it was not one of Party, and both Parties would be anxious to make the measure—the details of which would require very serious consideration—as perfect as possible. The object of such legislation ought to be to promote, encourage, and give facilities for inventions, and if that were done in this case, the Bill, in its working, could not fail to be attended with the best results. He trusted that every unnecessary difficulty which stood in the way of the inventor would be removed, and while he was glad to hear that some modifications upon previous proposals had been introduced into the present Bill, especially as to the time and provisional specifications, he thought there were provisions in it which would have the effect of reducing the number of Patents to a minimum; and that was a result which was not for one moment desirable. The hon. and learned Attorney General had said he believed the more Patents were sifted the fewer they would become; but, in opposition to that view, he (Mr. Mundella) might point to the case of the United States, where the number taken out was 300 or 400 per cent in excess of England. There was no country where Patents were so closely sifted as in America; and there was no country where there were so many, and where invention had done so much towards saving human labour, or had been more appreciated. In Washington they had a splendid museum for their Patents, while in London we had a few wretched sheds in the Kensington Museum, where discoveries of men like Arkwright and Stephenson were placed. He hoped this would soon be remedied. In England he never saw an invention yet which was not pooh-poohed at first, and the inventor had so many difficulties to contend with and was always so unpopular that the Government should try rather to smooth his path than to put any obstacles in his way. As to the Lord Chancellor fixing what should be the licence for working any particular Patent, or as to examiners with his Lordship's assistance doing so, he thought it was an utter impossibility. The hon. and learned Attorney General had said that under the present system Patentees had an opportunity of levying black mail upon their co-manufacturers; but he (Mr. Mundella), for one, had never known a Patentee of whom that could be truly said. On the other hand, a Patentee had to run the risk of his rich competitors coming down upon him with their wealth and crushing him; and as in this country the great mass of inventors were poor inventors, in legislating on this matter, provisions should be enacted which would have the effect of encouraging them, for the House should remember that the inventions which had most revolutionized trade were the works of poor men. He was quite clear that in the clause which gave the Lord Chancellor the right to grant compulsory licences lay the whole of the mischief in the Bill. A poor man might bring out the best invention in the world, and a rich manufacturer, saying that he did not want the machine to prosper, for it would cost him say £70,000, and render his then existing plant useless, might get a compulsory licence, ruin the inventor, and put the invention aside. He did not believe that a bad Patent would injure an industry, because it would not be adopted. If an inventor brought out a bad Patent he simply paid his duty to Her Majesty and lost his money. He approved of the provision with regard to foreign inventors, and hoped the Government would adopt an international system of Patents in the same way as the international system of trade marks, and he could see no difficulty in this. With regard to the expense, the proposition was to lessen the smallest and increase the largest part of the expense. A Patent in France for 13 years could be had for £20 odd, and in America for 15 years for under £20, and he could see no reason why so large a sum as £50 was demanded under this Bill. The hon. and learned Attorney General said that a man could afford to pay £50 after three years' enjoyment of his Patent, but this was the most difficult payment he could be called upon to make, because he was seldom able by that time to get his article introduced into the market. The tendency of this provision must, therefore, be to discourage Patents. Patents ought to be obtained in this country as cheaply as in France or Belgium, and, in his opinion, it would be better to make the first payment for a Patent £1, and afterwards an annual payment of £1 or £2 during its existence. A much larger sum would thereby be obtained from the inventors, and the country much more benefited in its industry. It was unwise to discuss a Bill on its introduction, because he had learned from experience that it was impossible to trust to the details of a Bill from any Minister who introduced it. This, he would repeat, was no Party question, and he sincerely trusted that both sides of the House would co-operate in making it a measure that would be for the best interests of the Patentee and for the interests of the country.

SIR GEORGE BOWYER said, he had no doubt the Bill would be very useful, but he wished to say a few words with regard to two points in it, which he regarded with dislike—first, on the Patent itself, and next as to the examiners. The Patent was an antiquated thing altogether and in itself meant expense. It was made out on a large piece of parchment with the Royal seal, and was a remnant of the old theory that the issue of a Patent was part of the Royal Prerogative. Instead of coming from the Lord Chancellor, a Patent should proceed from the Board of Trade. Why should not a Patent be like the *brevet d'invention*, as in France, or a certificate as in Belgium, which would be equally effective; and he considered that the privileges of inventors should be made as cheap as possible. The certificate should be issued from the Board of Trade which had the proper machinery to consider these questions, and it should specify the number of years for which the inventor should enjoy the privileges of his invention. With regard to the examiners, he could not see why a Patent should receive any consideration or undergo any examination before it was issued. If a Patent was found to be good, the inventor had his reward; if, on the other hand, it was useless, he hurt no one. When a man climbed up to the top of St. Paul's and stood upon the highest part of it on one leg, he applied to George III. for a reward. The King said he would give him a Patent. That would not have injured any one else, because no one wanted to perform the same feat. The principle in granting Patents ought to be one of great freedom, and it was for the public good that inventors should be able to take out Letters Patent at the smallest expense. All he thought necessary was a fee sufficient to pay office expenses and no more.

MR. B. SAMUELSON said, he was glad to see that the Bill followed the lines of the recommendations of the Committee on the question of Patents which sat in 1871 and 1872. The differences between the Bill about to be introduced and those which had been introduced during the last two Sessions in "another place" had been so clearly stated by the hon. and learned Attorney General, that they were in a better position to judge of its merits than they generally were on the first reading of a Bill. He believed it was in many respects a better Bill than those to which he had adverted. He gave it his cordial support, and could only express the hope that it would not meet with the same fate as those of 1875 and 1876, for if such should be the case he would rather that the Government should have availed themselves of those powers which they already possessed by the Bill of 1852 which had never yet been put in operation. He trusted that Commissioners would at length be appointed. The present Commissioners were as useless as if they were non-existent, because with their multifarious occupations they could not give any attention to the administration of the Patent Laws. He agreed with the hon. and learned Attorney General that there were difficulties and objections to the appointment of paid Commissioners, because there were eminent men whose services could be secured, but who would feel that the acceptance of salaries called for greater sacrifices than they were prepared to make. Not to mention any one living, he would instance the late Sir William Fairbairn as a specialist who would probably have given valuable service as an honorary Commissioner. With good officers the general superintendence of the office might be left to unpaid Commissioners. He thought there had been several mistakes regarding the functions of the examiners, whose function would ascertain, not whether a so-called invention was frivolous, but whether it was properly the subject of a patent, and whether it was a novelty, and on this point examination would be of the greatest service, not only to the public, but to inventors also. As a manufacturer of machinery and of iron, he could adduce many instances of Patents which were mere obstructions to the development of improved processes of manufacture. For this reason he rejoiced at the introduction of compulsory licensing, which he hoped nothing would induce the Attorney General to abandon. If the Patent system were to be maintained, it was necessary that inventions should not continue to be monopolies in this sense. Before the Committee of 1871-2, it came out that there were inventions patented by Englishmen, and yet the articles manufactured under the patents were manufactured exclusively and imported from abroad. Was that a state of things that ought to be allowed to continue? Nine out of ten of the Patents for sewing machines were worked entirely by the importation from abroad of the manufactured article and that was an argument for compulsory licensing. There was keen international competition in sugar refining, and a simple improvement patented in this country might render all our manufacturers except the Patentee unable to compete with those of Holland, where there were no Patents. With regard to the question who should decide what the value of a licence was to be, he believed that in very nearly every case it would be determined by the giver and taker of the licence. It would be in rare cases only that the parties concerned would be unable to agree; the fact of an ultimate authority existing—the Patent Commissioners or the Lord Chancellor, would tend to induce them to come to an agreement. There was another provision he did not approve of—that as to the manner in which a Patentee was to be remunerated for his invention when it was used by the Crown. He did not think that the Treasury was sufficiently impartial. If the Commissioners of Patents or the Lord Chancellor were substituted then the provision would be of some service. The extension of time for the completion of specifications would in many cases be a boon; but inventions were often reduced to questions of detail and ran much on all fours with each other; and in such cases it would be a disadvantage to a rival inventor to be placed in a position of uncertainty for a long time. The advantages must be balanced against the disadvantages, and he was not prepared to say at that moment which were the weightier. It was only fair that a complete specification should be published before a Patent was granted, and it was a monstrosity that a monopoly should be given to a man without his being compelled to declare what the invention was, for some one might have been using it for years, and it was a hardship that he should be able to assert his right to continue its use only by costly litigation. Provisional specifications ought to state clearly what the inventions were, and care should be taken that the complete specification included nothing but what was fairly included in, or fairly grew out of, the provisional specification deposited. If there were a proper system of examination and of licensing, then the term of 21 years would be a fair concession. Under the present system, without the safeguard proposed by the hon. and learned Gentleman, an extension to 21 years would be unfair to the public. As to the question of a Patent Museum, the present Museum at South Kensington was a disgrace to the country, and no language could be too strong in deprecating its condition; what was really wanted was not a Museum of Patents, but of important scientific and maufacturing inventions. It was a mistake to suppose that all important inventions were patented. On the contrary, the patenting of an important invention was, in some trades, the exception, not the rule. This was especially the case in the manufacture of iron, and he could state that one of the causes which had led to the rapid development of the Cleveland Iron District was the liberality with which its manufacturers threw open their inventions to their neighbours, instead of each one attempting to secure a monopoly by taking out a Patent. As he had said, he would support the Bill of the hon. and learned Gentleman.

MR. ANDERSON said, he would admit the inconvenience of discussing a Bill on the first reading, but if the author of a Bill thought it necessary to make a speech in introducing it, he must expect to hear something in reply. As regarded inventors, there were two points he considered to be most urgently required—namely, a reduction of the expense of getting a Patent, and the extension of time to enable an inventor to reap the reward of his discovery. On the first point he did not think the hon. and learned Gentleman the Attorney General had made out his case in favour of his Bill. In America the expense he believed was only $35, or £7, and he (Mr. Anderson) thought the mode of examination adopted there was much better than ours, and the proof of that was in the result, for in no country was the inventive genius of the people so stimulated to activity as there, and if we wished really to encourage the inventive genius of our people, we ought, as far as possible, to adopt the system in vogue in America. On the second point, he thought the extension of time to 21 years would give the utmost satisfaction to inventors. He objected, however, to that portion of the Bill which required that an inventor should divulge everything before he got his Patent, while it was left to the examiner to say whether the Patent should be granted. What man in the possession of a secret which he deemed of great value would risk its loss by accepting such terms? It could not be expected that a man would divulge his invention to the whole world while there was so much uncertainty whether he would get a Patent or not. As to licences, the public were entitled to some protection in the matter, for they had a right to demand that they should be enabled to get the fair use of a Patent. He thought that if the Commissioners were not paid the work would not be done well. He had no great belief in unpaid work. They must pay for work either in money or honour. Members of Parliament were paid in honour, but would these Commissioners be sufficiently paid in honour? He considered that it would be better to pay those gentlemen for doing the work than to pay the Law Officers of the Crown, for he could not see why the latter should be paid at all for this work; and now it was proposed to bring the Law Officers of Scotland and Ireland into the same system. They should pay the Commissioners and reduce the charges to those ingenious men who made new discoveries.

THE ATTORNEY GENERAL said, he would not reply to the objections which had been stated to the Bill; they would be better discussed hereafter. He wished, however, to explain that he did not propose to allow the examiners a power of veto; they would only report, and they would not be able to report against a Patent on the ground that it was frivolous. Frivolous Patents would perhaps do no harm, except to the inventors themselves. The examiners would have only to report that the provisional specification, which would be kept secret, was properly framed, and when the specification was completed to see that it accorded with the provisional specification—whether it was properly framed, and whether it was novel or not. He did not know that the American system was the best, nor that it could be copied with advantage, for he could not conceive that in any country there could be 18,000 new inventions in any one year.

Motion *agreed to.*

Bill for consolidating, with Amendments, the Acts relating to Letters Patent for Inventions, *ordered* to be brought in by Mr. ATTORNEY GENERAL, The LORD ADVOCATE, and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 64.]

ROADS AND BRIDGES (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE: I rise to ask leave of the House to bring in a Bill to alter and amend the Law in regard to the management and maintenance of Roads and Bridges in Scotland, and I will endeavour to indicate to the House, very briefly I trust, the circumstances under which the Bill is introduced, and the objects which it is thereby proposed to attain. Hon. Members of this House are probably aware that in Scotland there is no obligation at Common Law either to make or to maintain roads and bridges. Those obligations arise entirely from the statute law of the land. Our roads in Scotland, or public highways, are of two characters. There are statute-labour roads, which were originally intended simply for purposes of local communication, were originally maintained by the personal services of dwellers in each particular parish, and are now maintained in most cases by what is called commutation money—that is, by a parish rate levied within the bounds of the parish in lieu of the personal service formerly given. The second class of roads are called turnpike roads, and they are managed by trustees constituted by a long series of local statutes. As a general rule these roads constitute, or did constitute at one time, the main trunk lines of communication through the country, and serve for the purposes of what is called through traffic. As an invariable rule these turnpike roads have been maintained, not by assessment, but by a levy of toll from persons using the roads. Of late years the spread of railway communication throughout Scotland has altered very much the character of the traffic upon these roads. It no longer represents through traffic, because of late all such traffic passes either by water or by rail, and the result is that these main lines of road, originally formed and maintained for other purposes, have virtually become part of our local system, and are used as such almost exclusively. It is proposed by the present Bill to combine the management of our statute-labour and our turnpike roads, to abolish entirely the system of levying tolls, and to throw the maintenance of both classes of roads for the future upon a rate levied from lands and heritages throughout the whole of Scotland. It is proposed to give the administration of the whole of the roads, statute-labour and turnpike, within the county to the county, and to give the management and administration of all roads and streets within burghs in Scotland to the burgh authorities, meaning thereby the town council or the police commissioners of the burgh. It is right to inform the House that this Bill does not directly affect the whole of the counties in Scotland. It is right that the House should know that out of the 32 counties in Scotland, 14 have already obtained local Acts from the Legislature from time to time, under which tolls have been abolished, and roads of every class are maintained by rates upon lands and heritages. Two other counties have obtained local Acts, whereby the maintenance of the roads will be thrown upon rating as soon as the debt of the turnpike trusts has been paid off by means of tolls. Other two counties, Dumfriesshire and Forfarshire, have recently obtained local Acts in virtue of which they have power at any time to abolish tolls. In Dumfriesshire that has already been carried out to a great extent, although no steps have been taken, I am informed, in Forfarshire for the purpose. So there only remain 14 counties in Scotland in which turnpike roads are still exclusively maintained by the levy of tolls. In none of the cases I have referred to where tolls are still levied is there any right to continue that levy in perpetuity. Several of the Turnpike Acts, by which turnpike trusts are constituted, contain within themselves provisions continuing them in force for periods which have not yet expired; but the great bulk of the Scotch local Acts constituting turnpike trusts, depend, and have for many years past depended, for their existence on the passing through the Legislature from time to time of general Acts—the Turnpike Trusts Continuance Acts—and I find that in regard to those 14 counties which I have mentioned, in which tolls are still levied, and the turnpike roads thereby maintained, that all the Acts constituting those trusts, with a few exceptions, will expire in the year 1878, and all the trusts continued by the Turnpike Trusts Continuance Act of 1876 will expire with the close of the Session of Parliament in 1878. There would only then remain existing, were those Acts not renewed by a Continuation Act, the Ayrshire Turnpike Trust Act, which expires in 1879; three out of 11 turnpike Acts for Roxburghshire, two of them expiring in 1881 and one in 1892, and in the case of Lanarkshire, where there are no fewer than 21 separate statutes constituting separate trusts, only five would exist after 1878. Of those five, one would expire in 1879, one in 1880, one in 1881, one in 1882, and the last in 1887. It is proposed by the Bill that its provisions may be adopted voluntarily by Commissioners of Supply, whether they have a local statute or not, at any time within the next 10 years; but that at the end of 10 years it shall become a compulsory measure in all those counties where at that date the exaction of tolls or statute-labour money has not been abolished either under local Acts, or by the county having voluntarily adopted the provisions of the Bill. It appears to the framers of the Bill that that would give sufficient time for those counties in which there are exceptional difficulties with regard to the abolition of tolls or the adjustment of areas and burdens as between county and burgh, to overcome these difficulties, either by means of the machinery provided in Section 8 of the Bill, or by arrangement. When it is adopted, the provisions of the Bill are that the management should be vested, first, in a body of County Road Trustees, to consist of Commissioners of Supply of the county, in whom the control of our roads of whatever class is at present vested, with the addition to that body of the nominee of any corporation holding land of the value of £800 and upwards on the valuation roll, and the further addition of an elective member, elected by the ratepayers, one for each parish within the county. As this body would be rather unwieldy for the constant administration of the trusts throughout the year, it is proposed that the plan adopted should be similar to that which has been followed with success in some of those local statutes—letting the County Road Trustees appoint a County Road Board, consisting of 30 members, with a certain proportion of elected members among them. Further, an important part of the administration of the local management of the roads will be entrusted to district committees. In the case of burghs the administration may be much more simply provided for; and here I ought to explain that by the word "burgh" in the sense in which I have used it, I mean, in the first place, Royal burghs; in the second place, Parliamentary burghs; and, in the third place, populous places of considerable size and extent which have adopted the provisions of the General Police Act. The limit fixed in the Bill is a population of 10,000, and it is obvious that a burgh of that extent may have an interest separate from the county, and roads and streets within it sufficient to form the subject of a separate local administration. Then, there being a separate administration for counties and for burghs, it is proposed that within burghs the streets and roads which are under the management of the local authority shall be as at present provided for in regard to maintenance, and new streets made and maintained out of rates levied on land and heritages in the burgh, one-half in respect of ownership, and one-half in respect of occupancy. Within the county a different rule is to obtain. There are three things to be provided for in both burgh and county alike. In the first place, the maintenance of roads; in the second place, the making of new roads or bridges; and, in the third place, provision must be made for the debt which attaches to roads already formed. It is proposed that within counties, in order to maintain the roads, an assessment shall be levied, one-half on owners and one-half on occupiers, but the provision made for the payment of debt and for new roads rests upon owners exclusively, and not upon those who temporarily occupy land, with this further provision, that in all questions relating to the formation of new roads no trustee shall have a vote imposing an assessment who is not himself an owner of land, so that it will be left to proprietors to decide whether their interests will be so advanced by it as to justify them in incurring the outlay. It is further proposed by the Bill that debts upon roads shall be taken over at their true value. The Bill also contains other provisions of considerable importance for making a fair allocation of the debt in the first place, as between county and county, because these turnpike trusts are not, like statute-labour roads, localized. There will also be an allocation as between county and burgh. As regards the debts on existing roads, there is no liability whatever incumbent upon the trustees except what may be met out of the tolls. In some instances these are amply sufficient to meet the interest, and in time liquidate the capital; but, in very many other cases, the tolls are not sufficient to pay the interest on the capital. With respect to these it is proposed that they shall be bought up at the fair market price. When a road serves the purposes of two adjoining counties, the debt will be fairly allocated between them, and under like conditions between the county and the burgh. Then, again, several of the bridges in Scotland are in an exceptional position. A bridge may be in a borough; but it may be equally useful to the county, as it may connect two parts of the same county or two districts, and therefore, in such cases they will be exceptionally dealt with, so as to apportion the cost of maintenance fairly between the counties, or the county and burgh, which are benefited by them without imposing the sole burden upon the county or burgh in which they may happen to be situated. Perhaps I may be permitted, in conclusion, to express a hope that, as this question of roads has deeply interested the people of Scotland, this Bill, which I ask leave to lay on the Table, may be the means of enabling the Legislature to arrive at an expedient and safe solution of this much vexed question.

SIR EDWARD COLEBROOKE said, that he had a Bill of his own on this subject, but he was very glad that the Government had given the House so early an opportunity of discussing the question, which was thoroughly ripe for immediate legislation. He thought the Bill in its main provisions was the same as that which was brought before the House last Session. References had been made to the effects produced upon the road traffic of Scotland by the formation of railways, and there could be little doubt that this was practically the case, and what were formally looked upon as main lines had become used for local purposes only. He thought it was a question whether those who made the most use of the roads would, under the provisions of the Bill they had heard explained, contribute their fair share to the expenses. Some years ago he had advocated a plan, and this plan had received the support of many authorities on the subject. This plan was to adopt a uniform management, with a uniform scheme of tolls. He explained that such a plan, if carried out, would tend to lighten the burden on the shoulders of those who had to bear it, and not lay it on the shoulders of others in an unfair way. He trusted that his suggestion would be considered by the Government, and that the result would be a more efficient management than the one at present in existence.

MR. J. W. BARCLAY said, the Government deserved thanks for introducing this Bill at so early a period of the Session, and he looked upon it as an intimation of the earnestness and desire of the Government to carry the measure this year. He agreed with the principles laid down by the learned Lord Advocate, but he regretted that the Government had gone back with respect to the period of final application. It was proposed last year that the option should not extend to more than five years, but, according to the Bill, 10 years might elapse before the total abolition of tolls in Scotland. Now, he thought that there were certain inconveniences attending such deferred legislation. If the owners of the roads or the trustees interested chose to do so, they might adopt the policy of starving the roads with a view to increase the interest on their debt; and when the time arrived for handing over the roads, they might be found out of repair. This would of course throw a heavy burden on the new trustees, in order to put them in proper condition. In his constituency the Commutation Road Trustees had allowed a large proportion of the roads to become entirely worn out, and consequently the cost of repairing them had fallen very heavily upon the owners and occupiers. He apprehended that under the system proposed by the Lord Advocate the roads which would be affected by it would also become worn out before they were handed over to the new authorities. He trusted, therefore, that the Government, if they kept to the period of 10 years, would insert in their Bill a provision requiring the old trustees to hand over the roads in a fair condition of repair to the new trustees. It was unfortunate that the power of adopting the Bill would be placed in the hands of a body which was hostile to the new system, and of whose opinions the hon. Baronet who had just spoken (Sir Edward Colebrooke) might be taken as a representative. He might remind the House that no one had benefited so much previously by the formation of roads and railways as the owners of the land in their neighbourhood, and, therefore, it was very selfish of them to object to pay their fair proportion of the expense of keeping them in repair. He trusted that the Bill would become law during the present Session, and would give it his earnest support.

COLONEL ALEXANDER expressed a hope that the Government would assure the House that sufficient time would be given between all the stages of the Bill, so that all persons interested would be able to give the measure full consideration. He quite saw that, owing to the short period there was to elapse before the expiration of the different trusts, the learned Lord Advocate was obliged to introduce the Bill that evening; but he would point out that the Act for the county of Ayr expired not in 1879, but in 1878. It should be borne in mind that 14 counties would be affected by the Bill, and that the circumstances of those counties differed very materially. Some of them were what might be called mineral counties, while others were devoted almost wholly to agriculture. The county which he had the honour to represent was partly mineral and partly agricultural; and he might say that the agricultural country roads were some of the best in Scotland.

MR. RAMSAY approved of the general principle of the Bill for the abolition of tolls, and hoped that all the bodies in Scotland who were interested in the measure, and competent to form a judgment upon it, would have sufficient time allowed them to consider its provisions before it was set down for a second reading. The Bill contained numerous details of great importance to mineral owners, land owners, and others, and there were many districts in Scotland which had peculiarities in comparison with other districts, and which had Acts of their own so framed as to meet local wants, and these circumstances gave rise to a considerable diversity on local requirements. That was an important fact to remember in the case of a Bill which, if it passed into law, was to be made compulsory at the expiration of a period of 10 years.

THE LORD ADVOCATE, in reply, admitted that Lanarkshire, like Ayrshire, stood in an exceptional position; and as to the separation of the burghs and counties, he pointed out that the separation, unless attended by a provisional order or by agreement, would take effect either at the municipal or the Parliamentary boundary of the burgh.

Motion *agreed to.*

Bill to alter and amend the Law in regard to the maintenance and management of Roads and Bridges in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.
Bill *presented*, and read the first time. [Bill 65.]

SUPREME COURT OF JUDICATURE (IRELAND) BILL.

LEAVE. FIRST READING.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PLUNKET) in moving for leave to bring in a Bill for the constitution of a Supreme Court of Judicature and for other purposes relating to the better administration of Justice, in Ireland, said, it differed in a few particulars from the Bill which last year obtained a second reading in that House. As far as the general objects of this Bill were concerned—namely, the application to Ireland of those great reforms in the system of Judicature which had been introduced in England—this Bill was, in the main, the same as that of last year. The chief point on which it differed was that, while effecting a reduction in the judicial strength of the Courts of Common Pleas and Exchequer, it proposed that the Judge of the Probate Court should retain his present position, that branch of business being of so much importance as to demand the whole time and attention of a Judge. The Bankruptcy Court would also remain as it was at present, and provision was made that when a vacancy occurred in the Judgeship of the Admiralty Court the jurisdiction of that tribunal would be transferred to the Probate Division of the High Court of Justice. Another variation from the Bill of last Session was the omission of the clauses relating to the compulsory reference of cases to arbitration, which had been found to be exceedingly unpopular in Ireland. They had not been able to comply to the full extent with the desire expressed last year by some hon. Members by adding a complete Schedule of Rules and Orders; but they had introduced into the body of the Bill certain provisions which would, he believed, meet the substantial objection taken last Session to the absence of such a Schedule. He trusted that the present measure would be more fortunate than the one of last year; and he was sure that in the interests of the Bench, the Bar, and the public, the House would do well to put an end, as soon as practicable, to the protracted uncertainty which had prevailed in regard to the carrying out in Ireland of the great reforms in the Judicature of the country which had already been adopted in England. He therefore now moved for leave to bring in the Bill.

MR. MELDON said, he did not intend to enter into any discussion on the Bill; but, at the same time, he must congratulate the Solicitor General on the improvement which the measure had undergone since last year. Every alteration in the Bill was an improvement, and this might be said especially of the proposition to leave the administration of Bankruptcy as it was before. It was clear that the modifications in the Bill had been introduced by some one well acquainted with the difference in the circumstances of England and Ireland.

Motion *agreed to.*

Bill for the constitution of a Supreme Court of Judicature, and for other purposes relating to the better administration of Justice, in Ireland, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Sir MICHAEL HICKS-BEACH.
Bill *presented*, and read the first time. [Bill 66.]

COUNTY OFFICERS AND COURTS (IRELAND) BILL.

LEAVE. FIRST READING.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PLUNKET) in moving for leave to bring in a Bill to amend the laws relating to County Officers and to the Courts of Quarter Sessions and Civil Bill Courts in Ireland, said, though it was not an exact counterpart of any Bill of last Session, it was, in point of fact, a combination of two of those Bills, the Clerks of the Crown and Peace (Ireland) Bill, and the Civil Bill Courts (Ireland) Bill. In that part of the present Bill which referred to the County Courts, it was proposed to extend their jurisdiction mainly by giving them a jurisdiction in Equity, and to bring into immediate effect several other useful reforms in the local administration of justice. It was divided into four parts. Its first object was to consolidate the offices of Clerk of the Crown and Clerk of the Peace, and at the same time to provide an efficient Registrar for the County Courts. The clauses framed with this purpose were not very different from the proposals which were included in the Bill of last year; therefore he would not trouble the House by stating them. The principal objection taken last year was that in the office thus created efficiency had been too much sacrificed to economy. There were always some difficulties which occurred between those who proposed measures and those who had to find the sinews of war for carrying them out; but he was happy to say that on the present occasion he had been able to come to a better understanding with the Treasury than last year. A clause had been inserted in the Bill providing that, at any time after the passing of the Act, if it should appear that the staff was insufficient for carrying on the duties of the combined offices, the Lord Chancellor should have the power to order such additional assistance as he thought requisite, and there was also a provision in the Bill for payment to the officers so appointed. As to the second part of the Bill—that conferring an Equity jurisdiction—the Bill of last year provided for giving a jurisdiction in Equity in matters in which the annual value of the property did not exceed £30. In the present Bill that figure had been retained in regard to the annual value, but £300 had been substituted for £500 as the limit of jurisdiction in dealing with personal property. That limit had been fixed after consultation with several persons of high authority; but of course it was a proper subject of discussion in Committee. They proposed no alteration in regard to the limit of jurisdiction in testamentary cases, except in contentious cases, and in these the Bill proposed to increase the present limit of £200 to £300. As to the third part of the Bill he need only say it was very much the same as the corresponding clause of the Civil Bill Courts Bill of last Session, extending the existing jurisdiction of the county Chairmen. Another important proposal was the reduction in the number of the Chairmen and Judges of the Civil Courts. There were at present 33 Chairmen of counties besides the Recorders, and the Bill proposed that there should be 21 Judges, including the three Recorders of Dublin, Belfast, and Cork, who would perform the combined offices of County Court Judge and Recorder. Instead, however, of retaining the present three classes of Chairmanships, the Bill contemplated but one class of Chairman, which, as to salary, should be equal to the present first-class Chairmanships. In the case of the Recorder of Dublin it was proposed when the arrangement combining the two offices of Recorder of the City and Chairman of the county of Dublin came into effect to pay him a salary of £2,500 a-year; in the case of the Recorder of Belfast of £2,000; and in the case of the Recorder of Cork also of £2,000 a-year. The Treasury was prepared to bear the whole expense and relieve the local taxation of the presentments for the Clerks of the Peace and Clerks of the Crown excepting those made for the registration of voters and jury lists. Special pensions would be paid to retiring Clerks of the Peace or Crown. There would be a revision of the fees in the Civil Bill Courts, and all the emoluments of those officers other than those to which he had referred would on the union of offices be paid into the Treasury. The hon. and learned Gentleman concluded by expressing confidence that this Bill would effect great improvement in the Civil Courts, which were already very valuable to Ireland, but could be rendered still more so when they acquired the equitable jurisdiction which this Bill would confer upon them. He believed that the consolidation of the offices of the Clerks of the Peace and of the Crown would also be attended with great public advantage. It was an old saying that the doors of the Courts of Equity were always open; but as the law now stood it was impossible for the Irish people to even approach the portals of the Court of Chancery, and he believed this Bill would be a great boon to his fellow-countrymen. He hoped that as it had been introduced at so early a period of the Session, Members on both sides would to their best to pass it.

MR. LAW congratulated his hon. and learned Friend on the early introduction of this measure. Of the expediency of giving the Irish Chairmen a substantial jurisdiction in Equity as well as an enlarged jurisdiction for Common Law actions and contentious testamentary matters, he did not think there could be any reasonable doubt; but the value of all this depended on whether the Chairman had an adequate staff of officers to assist him. As far as he could judge from the statement of his hon. and learned Friend, there was little, if any, improvement in this respect on the proposals of last Session, and he regretted to say that, in his opinion, the official assistance which the Government thus meant to provide for the Chairmen would be found wholly insufficient, and the measure consequently prove, he feared, an utter failure. This would be a very deplorable result for the establishment of efficient local tribunals to enforce or adjust the rights of the farmers and small traders throughout Ireland was urgently required, and had been too long delayed. There was one other point to which his hon. and learned Friend casually alluded at the close of his statement, and on which he (Mr. Law) desired to say a word. It appeared that the Bill proposed to prevent future Chairmen from practising at the Bar. Now to this he (Mr. Law) entirely objected, and that, not for the sake of the Chairmen to whom, indeed, it was a matter of indifference, but for the sake of the people, and to preserve their present confidence in the decisions of those local Courts, for it could hardly be doubted that the indirect effect of this provision would be to make the Chairmen quit Dublin and settle down with their families in the county or union of counties subject to their jurisdiction, and form at least intimacies, if not often closer connections, with the county families. Once this, or anything like this, was done, there would, he feared, be no longer that confidence on the part of the people which was at present felt in the decisions of the now non-resident Judges. However, he should take another opportunity of discussing this proposal. Meantime he gladly acknowledged that, notwithstanding these objections, the main object of the Bill was good; and he hoped that the Government would be able to carry it through this Session. It was, as he had said, a measure which was much wanted; and it would, he hoped, be of great benefit to Ireland.

SIR COLMAN O'LOGHLEN trusted that this important question, which so very materially affected the administration of justice in Ireland, would be fairly discussed, and that it might not come on until April, when barristers who were Members of that House and also members of the Irish Bar would be relieved from their legal engagements.

MR. M'CARTHY DOWNING concurrrd in the provision of the Bill which required that the Chairmen of Quarter Sessions should devote their entire time to the discharge of their duties.

MR. MURPHY hoped that a provision would be introduced into the Bill giving to the Chairmen of Quarter Sessions in Belfast and Cork a Bankruptcy jurisdiction.

MR. BIGGAR said, it had been suggested that the assistant barristers should go circuit, whereby the suspicion of partiality would be removed. He wished that Government had proposed to enlarge the jurisdiction of these Courts.

MR. MELDON objected to the introduction of local Bankruptcy Courts. The business was far better done in Dublin than in local Courts.

Motion *agreed to*.

Bill to amend the Laws relating to County Officers and to the Courts of Quarter Sessions and Civil Bill Courts in Ireland, *ordered* to be brought in by MR. SOLICITOR GENERAL for IRELAND and SIR MICHAEL HICKS-BEACH.

Bill *presented*, and read the first time. [Bill 67.]

LUNACY LAW.

MOTION FOR A SELECT COMMITTEE.

MR. DILLWYN, in moving that a Select Committee be appointed "to inquire into the operation of the Lunacy Law, so far as regards the security afforded by it against violations of personal liberty," said, there were two points in which the law especially required amendment—first, as to private patients sent to private asylums without any warrant from any public official, which seemed to him a violation of the Constitution; secondly, as regards the custody of such patients, the keeper of the asylum, that was the person most interested in keeping them, having the most potential voice in deciding whether they should be retained there. He believed that all private asylums ought to be gradually done away with.

MR. ASSHETON CROSS said, that it would have been inadvisable rashly to vote a Committee on this subject, as their proceedings would be read by persons subject to such derangements, to their possible excitement and injury. The noble Earl at the head of the Lunacy Commission (the Earl of Shaftesbury) was willing that the Committee should be granted. But he (Mr. Cross) would suggest that the powers of the Committee should be restricted, and sufficient safeguards might either be shown to exist or be provided. There was a strong feeling that such safeguards did not exist. Still, it was clear that early treatment was the best in the case of lunacy.

Motion *agreed to.*

Select Committee *appointed*, "to inquire into the operation of the Lunacy Law, so far as regards the security afforded by it against violations of personal liberty."—(*Mr. Dillwyn.*)

And, on February 22, Committee *nominated* as follows:—Mr. STEPHEN CAVE, Dr. LUSH, Mr. WOODD, Mr. RAMSAY, Mr. LEIGHTON, Mr. TREMAYNE, Mr. HERSCHELL, Mr. GOLDNEY, Mr. JOSEPH COWEN, Mr. KAVANAGH, Mr. BUTT, Mr. BIRLEY, Mr. HOPWOOD, Mr. STEWART, and Mr. DILLWYN:—Power to send for persons, papers, and records; Five to be the quorum.

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed*, "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Mr. ADAM, Mr. DICK, Sir WILLIAM HART DYKE, Mr. EDWARDS, Mr. GOLDNEY, Captain HAYTER, Lord KENSINGTON, Mr. MUNTZ, Mr. STACPOOLE, and Sir HENRY WOLFF:—Three to be the quorum.

SLIGO BOROUGH (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to constitute the municipal town of Boyle, the borough of Sligo, and the municipal town of Ballina into a Parliamentary Borough, to be called the Borough of Sligo, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. MITCHELL HENRY, and Captain NOLAN.

Bill *presented*, and read the first time. [Bill 68.]

KINGSTOWN BOROUGH (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to constitute the townships of Pembroke, Rathmines and Rathgar, Blackrock, Kingstown, Dalkey, and Killiney and Ballybrack, in the county of Dublin, into a Parliamentary Borough, to be called the Borough of Kingstown, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. MELDON.

Bill *presented*, and read the first time. [Bill 69.]

COUNTY COURTS JURISDICTION BILL.

On Motion of Mr. JOSEPH COWEN, Bill to amend the Law relating to the jurisdiction of County Courts, *ordered* to be brought in by Mr. JOSEPH COWEN, Mr. ROWLEY HILL, Mr. RIPLEY, and Mr. EUSTACE SMITH.

Bill *presented*, and read the first time. [Bill 71.]

ROADS AND BRIDGES (SCOTLAND) (NO. 2) BILL.

On Motion of Sir EDWARD COLEBROOKE, Bill to amend the Law in regard to the management and maintenance of Roads and Bridges in Scotland, *ordered* to be brought in by Sir EDWARD COLEBROOKE, Sir WINDHAM ANSTRUTHER, and Colonel MURE.

Bill *presented*, and read the first time. [Bill 72.]

THAMES RIVER (PREVENTION OF FLOODS) BILL.

On Motion of Sir JAMES HOGG, Bill to amend "The Metropolis Management Act, 1855," and the Acts amending the same, so far as relates to the Protection of the Metropolis from Floods and Inundations caused by the overflow of the River Thames; and for other purposes, *ordered* to be brought in by Sir JAMES HOGG, Lord CLAUD JOHN HAMILTON, Sir JOHN HAY, Sir ANDREW LUSK, and Mr. HOLMS.

Bill *presented*, and read the first time. [Bill 70.]

COUNTY TRAINING SCHOOLS AND SHIPS BILL.

On Motion of Captain PIM, Bill for the provision, regulation, and maintenance of County Training Schools and Training Ships, *ordered* to be brought in by Captain PIM and Mr. COOPE.

Bill *presented*, and read the first time. [Bill 73.]

PROTECTION TO GROWING CROPS (SCOTLAND) BILL.

On Motion of Sir ALEXANDER GORDON, Bill to enable the Tenants of Arable Farms in Scotland to protect their Growing Crops from injury by Hares and Rabbits, *ordered* to be brought in by Sir ALEXANDER GORDON, Sir ROBERT ANSTRUTHER, Viscount MACDUFF, and Sir WINDHAM ANSTRUTHER.

Bill *presented*, and read the first time. [Bill 74.]

WINTER ASSIZES (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to provide for the holding of Winter Assizes in Ireland, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. STACPOOLE.

Bill *presented*, and read the first time. [Bill 75.]

CRIMINAL LAW EVIDENCE AMENDMENT BILL.

On Motion of Mr. ASHLEY, Bill to further amend the Law of Evidence in Criminal Trials, and to enable Prisoners or Defendants and their Wives or Husbands to give Evidence at such Trials, *ordered* to be brought in by Mr. ASHLEY, Mr. RUSSELL GURNEY, and Mr. GEORGE CLIVE.

Bill *presented*, and read the first time. [Bill 76.]

JUDICIAL PROCEEDINGS (RATING) BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to make provision with respect to Judicial Proceedings in certain cases relating to Rating, *ordered* to be brought in by Mr. ATTORNEY GENERAL and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time. [Bill 77.]

House adjourned at
One o'clock.

* * *

HOUSE OF LORDS,

Tuesday, 13th February, 1876.

MINUTES.]—*Sat First in Parliament*—The Earl of Lonsdale, after the death of his Father.

SELECT COMMITTEE—Intemperance, *nominated*.

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD CHAMBERLAIN (the Marquess of HERTFORD) *reported* Her Majesty's Answer to the Address, as follows:—

MY LORDS,

I THANK you sincerely for your loyal and dutiful Address.

I rely with confidence on your earnest consideration of the measures which will be submitted to you, and I shall ever be ready to co-operate with you in your endeavours to promote the happiness and prosperity of all classes of My subjects.

NORTH AMERICA—EXTRADITION.

QUESTION.

EARL GRANVILLE: My Lords, I rise to put a Question to the noble Earl the Secretary of State for Foreign Affairs with regard to the arrangements between this country and the United States as to the extradition of criminals. Your Lordships will remember that last year Her Majesty's Government refused to surrender on extradition processes two men, named Winslow and Brett, unless the Government of the United States gave a distinct pledge that the persons whose extradition was demanded should not be tried on any other charge than that in respect of which the extradition was granted. This was in consequence of a statement that a man named Lawrence, who had been already surrendered, was to be tried on a second charge. Since then one man has been surrendered—at least, it has been so stated, and I believe the statement to be true. I should, therefore, like to know, What were the conditions under which that surrender was made, whether any conditions were required, whether he was surrendered on such an assurance as had been given in the case of Winslow, but was not considered sufficient, or on a formal engagement that he should be tried for no other offence, such as required by the Home Secretary? But however it may have been brought about, if a satisfactory arrangement has been entered into, I rejoice sincerely at the conclusion of the affair, and I think both Governments deserve great credit for having, by a little common sense, extricated the two countries from what appears to me would have been little less than a public scandal.

THE EARL OF DERBY: My Lords, the noble Earl has put to me a Question which, although the Papers on the subject are ready for presentation—have, indeed, just been laid on the Table—it may still be convenient to your Lordships I should answer; it may also be desirable that I should explain in a few words the position in which this business actually stands. Your Lordships will remember how the matter stood last year. The extradition of a man named Lawrence was demanded by the American Government on a charge made against him. His extradition was granted on that charge, and he was put on his trial in the United States. While he was about to be put on his trial, a representation was made to us that steps were being taken by the United States Government to put him on trial for another offence, in the event of failure to obtain a conviction on the charge in respect of which his extradition had been granted.

Now, as the man had not been surrendered on that second charge, this representation raised the question as to the construction to be placed on the Extradition Treaty. We objected to the proceeding said to be contemplated by the United States Government; and that Government did not at the time deny the intention to put Lawrence on his trial in respect of the second charge; but they put forward views in reference to the construction of the Treaty which led to the Correspondence between the two Governments, which your Lordships will recollect, and ultimately to a discussion in this House. The result was that we and the Government of the United States held opposite views as to the construction of the Treaty, inasmuch as they claimed a right which we held they were not entitled to claim; and inasmuch as they asserted their intention to act on that claim, we felt bound to refuse to grant any further extraditions till the question should be settled. So matters remained for some time. Meanwhile, the man Lawrence was tried for the offence on which his extradition had been granted. I am not aware what became of him; but at all events there was no second trial. And in the month of August last we received, through the American Minister, a communication from the United States Government which, if it had been made before, would have saved a great deal of trouble and controversy. From this communication it appeared that, notwithstanding the representations which had been made to us on the subject, yet, as far as the United States Government were concerned, no steps had been taken, or had been intended to be taken, with the view of putting Lawrence on his trial for the second offence. In other words, the Government of the United States claimed a right under the Treaty which we did not admit the existence of; but they stated, and we did not doubt the accuracy of the statement, that they had not exercised, or attempted to exercise, the right they so claimed. That materially altered the position of affairs. We continued to maintain, and we maintain now, that the construction which we put on the Treaty was the correct one; but from the information we obtained in August, and which, I repeat, it is unfortunate that the United States Government did not think fit to supply at an earlier date, it appears that the question raised by the United States Government was purely theoretical. In other words, the point raised between the two Governments had not arisen in practice; and on becoming aware of that fact, we considered that the question might well remain in abeyance till it did so arise. We were of opinion that, in the circumstances actually existing, there was no further occasion for suspending the operation of the Treaty; the suspension has therefore ceased, and it remains now as it was before this controversy arose. Had steps been taken under it by the United States Government inconsistent with the view held by us, then we should have continued to hold that the Treaty could only be allowed to operate under the conditions suggested by us; but, as matters stand, we felt that those conditions were no longer required. The arrangement between the two Governments continue as before that question was raised, pending the negotiations for a new Treaty, which negotiations are now in progress. That is the whole case—and your Lordships will find the full details in the Papers now on the Table.

TURKEY—THE MARQUESS OF SALISBURY'S EMBASSY—THE DESPATCH.

QUESTION. OBSERVATIONS.

Earl GRANVILLE: My Lords, I rise to ask another Question, of which I have given private Notice, and which is not likely to lead to debate. Having the other day expressed some alarm at the voluminous character of the Blue Book, it may appear inconsistent to ask for any addition to it—more especially as in some cases Her Majesty's Government has certainly given us very detailed information. For instance, in page 11, I find this despatch given at full length—

The Earl of Derby to the Marquis of Salisbury.

My Lord, *Foreign Office, November* 20, 1876.

I HAVE to request your Excellency to correspond with this office, while employed on the service of your Special Embassy, in a series of despatches, numbered and docketed, and addressed to Her Majesty's Secretary of State for Foreign Affairs.

I am, &c.,
(Signed) DERBY.

We all know that, in pursuance of these Instructions, Lord Salisbury did write despatches—and very good ones—and I have no doubt the first-rate Foreign Office clerks who accompanied him duly numbered and docketed them. With regard to this despatch, there is only one very small question which suggests itself to me. The Question is this. By the Blue Book the noble Marquess was clearly appointed "Special Ambassador." Why, then, in the Queen's Speech, does he suddenly tumble down to the more humble position of "Special Envoy?" But I do not require any answer to that Question—What I desire to know is, why the despatches recording Lord Salisbury's conversations with Prince Bismarck are not published, nor those with Marshal MacMahon and the Duc Decazes? Despatches are to be found in the Blue Book recording conversations with the Austrian Emperor, Count Andrassy, and Count Melagari:—there is also a conversation with the German Emperor; but I can find nothing as to those which are said to have taken place, and certainly did take place, between Lord Salisbury and Prince Bismarck and the French Government. The Emperor of Germany, among other things which he was stated to have said to the noble Marquess, stated that—

> "He trusted that by the concession of reasonable reforms in the administration of the Turkish Provinces, combined with guarantees for their execution, the necessity for an occupation of Turkish territory might be avoided. His Majesty considered that it was impossible for Europe any longer to accept the mere promises of the Porte, and that it was indispensable that satisfactory guarantees against the continuance of the evils under which the Christians in Turkey were suffering should be arranged."

He (Earl Granville) thought there could be no doubt that Prince Bismarck held similar language to that of the Emperor, but the subject would probably have been further developed; and if it was important that the public should know the views of Italy and Austria, it was certainly not less important that they should know the views from Paris and Berlin. The Question he wished to put to the noble Earl was, whether the despatches he had alluded to were of so completely a confidential character that it would not be right to produce them? Any assurance to that effect from the noble Earl would be considered by him as sufficient.

The Earl of DERBY: My Lords, the noble Earl, in the intimation with which he closed his observations, has suggested by anticipation the answer which his diplomatic experience told him it would be my duty to give. Having regard to the confidential character of conversations sometimes held with foreign Ministers, cases must arise in which the Secretary of State and the Government have to consider whether the publication of those conversations would involve a breach of confidence, and whether it would be conducive to the public interests or calculated to produce embarrassment. In regard to the conversations held with the other eminent persons whom the noble Earl has named, we did not think that anything had passed the publication of which would be unsatisfactory to the persons concerned, or on public grounds in any way objectionable. But, as respects the conversations with the French Government and with Prince Bismarck, those were undoubtedly of a more unreserved and confidential character, and we thought that if we published them we should be doing that which would produce a very unpleasant feeling, and would be considered a breach of confidence. That is the reason why the despatches the subject of the noble Earl's Question have not been published with the other Papers.

RAILWAY ACCIDENTS—LEGISLATION.

QUESTION. OBSERVATIONS.

Earl DE LA WARR asked, Whether Her Majesty's Government proposed to bring forward any measure this Session on the subject of Railway Accidents? He very much regretted that circumstances should have delayed the Report of the Royal Commission on this subject; but it was now completed and in their Lordships' hands. Had the inquiry been brought earlier to a conclusion, their Lordships would have been able at the commencement of the Session to have given it consideration and perhaps discussion; but he thought it would not be unreasonable, looking to the public interest which was felt in the matter, if he asked for such information as would enable their Lordships and the public generally to know whether the Government would deal with the Question in the course of the present Session, and whether, at no distant period, the subject would be brought under the notice of Parliament?

THE EARL OF SANDWICH said, he should like to supplement the Question of the noble Earl who had just spoken, by asking whether the Board of Trade had power to compel the Railway Companies to adopt the recommendations which were made by the Government Inspectors from time to time in their Reports? Very serious accidents had lately happened on certain of our railways; and there could be no doubt that some of those accidents might have been prevented. Referring to a recent accident on the Great Northern Railway and a somewhat similar one that occurred about a year ago, the recommendations made by Captain Tyler as the result of his inquiries appeared to have been treated with contempt. In connection with this subject he thought it was a hardship that, when an accident did happen, and when information concerning it had reached the railway authorities at head-quarters, information of the fact that a casualty had occurred was not imparted to persons who intended travelling in the direction where the accident had taken place. The result of withholding the information which was thus known at head-quarters was that many persons often travelled on as if nothing had happened, only to be detained when they reached a certain point. With respect to the Report which had been referred to by the noble Earl (Earl De la Warr), that document was unquestionably an able one; but it was to be borne in mind that it was not a unanimous one. Of the nine Commissioners only six had signed it, and they were not agreed as to the measures to be adopted, two having drawn up Reports of their own. It would be very difficult, therefore, for any Government to act upon the Report of the Commission. There could be no doubt, however, that at the present time the number of trains which were run, at short intervals, constituted an element of danger; and it was worthy of consideration whether some measure bearing upon that point might not be brought before Parliament.

THE EARL OF BEACONSFIELD: My Lords, the Report of the Royal Commission is now in your Lordships' hands; but, as my noble Friend (the Earl of Sandwich) has just reminded us, that Report has not been presented to the Government with the authority of unanimity. There were nine Commissioners. Of the nine, the Chief Commissioner devoted, I believe, two years to the labours of the Commission; but he accepted an appointment in a distant part of the Empire, and was therefore unable to finish his task as a Royal Commissioner, and sign the Report. Another of the Commissioners, a distinguished Gentleman, a Member of the Privy Council, who has had considerable official experience, and who is a man of very business-like habits, has altogether declined to sign the Report; and my noble Friend, the noble Earl who introduced this conversation, has also refused to sign it; but he has done his duty to the public by furnishing, on his own account, a Report which is well worthy of consideration. My noble Friend (the Earl of Sandwich) has reminded us that six of the Royal Commissioners did sign the Report; but, strange to say, two of these appear to have signed it only out of courtesy—through a feeling of good fellowship with, and as a compliment to, the remaining Commissioners, with whom, however, they did not agree. They also have furnished Reports of their own, which Reports are of an elaborate character—one of them extending to 25 folio pages. Under these circumstances, your Lordships will see that, as regards the Report of the Royal Commission, it is one which the Government must examine with a great deal of critical examination, and it must be equally obvious that, whether the Report is signed by the majority of the Commissioners or not, the Government cannot come to any conclusion on the subject without reading the voluminous evidence taken by the Royal Commission —which is not yet printed—and therefore it is impossible now for the Government to give a pledge as to whether they will introduce legislation on the subject this year. I can only say what every one must feel—that the subject is of a very grave character; indeed, as regards our internal affairs, I cannot conceive one of a graver character. My noble Friend (the Earl of Sandwich) asks me whether Railway Companies are bound to obey the recommendations of Government Inspectors. The answer to that is clear. Of course they are not bound to obey those recommendations, nor to regulate their conduct on the Reports of Inspectors. Those Reports are made to the Board of Trade. The Board of Trade considers them and recommends to the railway companies anything which it thinks advisable and which the law enables it to recommend. If there is anything which it thinks advisable, but which the law does not enable it to recommend, it must apply to the Legislature.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter before Two o'clock.

HOUSE OF COMMONS,

Tuesday, 13*th February*, 1877.

MINUTES.]—NEW MEMBER SWORN—James Delahunty, esquire, *for* Waterford County.

SELECT COMMITTEE—Public Accounts, *nominated;* Public Petitions, *appointed* and *nominated.*

PUBLIC BILLS—*Ordered*—Voters (Ireland) *.

Ordered—First Reading—Criminal Law Practice Amendment * [78]; Mercantile Marine Hospital * [79]; Bar of England and of Ireland * [80]; Peerage of Ireland * [81].

Second Reading—Beer Licences (Ireland) [57]; House Occupiers Disqualification Removal [25].

MALTA—TAXATION ON GRAIN AND FOOD ARTICLES.—QUESTION.

MR. POTTER asked the Under Secretary of State for the Colonies, If it is the intention of the Government to take any steps for the abolition of the taxes on grain and other articles of food imported into the Island of Malta?

MR. J. LOWTHER: Sir, objections against these taxes have from time to time been urged upon Her Majesty's Government by my hon. Friend and others. The question is, however, one of Revenue, upon which it is impossible to arrive at a decision without some further local inquiry. My noble Friend the Secretary of State therefore proposes to institute such inquiry at the earliest possible period, and to avail himself for that purpose of the assistance of an experienced officer from one of the public Departments in this country, who is specially qualified to advise upon such a subject.

CEYLON—THE RICE TAX.—QUESTION.

MR. POTTER asked the Under Secretary of State for the Colonies, Whether the Government intend to take steps to abolish the Duty on rice imported into Ceylon; also the Tax on the growth of rice, commonly called the Paddy Tax, and the revenue farming of the same in that island?

MR. J. LOWTHER: Sir, a Committee has already been appointed by the Government of Ceylon (in consequence of a Motion introduced into the local Council) for the purpose of inquiring into this question. Until the Report has been received, no action can, of course, be taken in the matter by Her Majesty's Government.

INHABITED HOUSE DUTY, 32 & 33 VICT., CAP. 14.—QUESTION.

MR. THOMSON HANKEY asked Mr. Chancellor of the Exchequer, Whether it is his intention to propose any alteration in the Inhabited House Duty Act, so as more clearly to define what is a trader under which denomination exemptions may be granted for Inhabited House Duty under the Act 32 and 33 Vic., cap. 14?

THE CHANCELLOR of the EXCHEQUER, in reply, said, that the hon. Member was probably aware there were cases upon this subject at present pending in the Exchequer Division of the High Court of Justice, and it was therefore impossible for him to answer the hon. Member's Question until he (the Chancellor of the Exchequer) saw from the decisions in those cases what was held to be the present state of the law with reference to it.

TURKEY—THE DISMISSAL OF MIDHAT PASHA.—QUESTION.

MR. A. MILLS asked the Under Secretary of State for Foreign Affairs, Whether any official information has been received as to the circumstances connected with the deposition of Midhat Pasha; also as to the riots reported in the newspapers to have recently taken place at Constantinople?

MR. BOURKE: Sir, we have not yet received details as to the dismissal of the late Grand Vizier and its causes; but we have information both through the

Turkish Embassy and by telegram from Constantinople to the effect that the change of Ministers involves no change of policy, and that the reforms proposed by Midhat Pasha will be proceeded with. We have heard nothing of any riots.

RAILWAY ACCIDENTS COMMISSION—THE EVIDENCE, PAPERS, AND REPORT.

QUESTION.

Mr. HENRY SAMUELSON asked the Secretary of State for the Home Department, When the Evidence upon which the Report of the Royal Commissioners upon Railway Accidents, the Papers of Messrs. Harrison and Galt, and the separate Report of Earl Delawarr, are founded, will be in the hands of Members; and, whether he can account for the absence from the Report of the Royal Commission of the signature of Mr. Ayrton, one of the Commissioners?

Mr. ASSHETON CROSS, in reply, said, that the evidence on which the Report of the Royal Commissioners on Railway Accidents was based was extremely voluminous, but he had given orders that its printing should be pressed forward as much as possible. With regard to the absence of Mr. Ayrton's signature, he only knew that Mr. Ayrton was present at the last meeting of the Commission which was summoned for the purpose of signing the Report; but that he refused, as he had a perfect right to do, to attach his signature to it. He had not received from Mr. Ayrton any separate statement giving his reasons for refusing to sign the Report.

Aferwards in reply to Mr. Bentinck,

Sir CHARLES ADDERLEY said, the Report having only just been issued, it would be premature for the Government to say whether, and how far, they could attempt to legislate upon the subject that Session.

ARMY—MISSION OF ROYAL ENGINEERS TO TURKEY.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether, with reference to the Eastern Question, he would take the necessary steps to cause to be laid upon the Table of the House, in addition to the Papers on that subject, a statement showing.—1. The rank and names of the several Officers of Royal Engineers who have, since August 1876, been sent to Constantinople and other parts of the European and Asiatic territories of Turkey; 2. The dates of their being severally so despatched and their arrival; 3. The instructions under which they proceeded; 4. A detail of the duties for which they were sent, and of the duties on which they have been employed since their arrival in Turkey; 5. Under whose authority they proceeded, seeing that this country is at peace with both Turkey and all the adjoining countries; 6. Also whether the services of these Officers were solicited by the Turkish Government?

Mr. GATHORNE HARDY: Sir, in reply to the hon. and gallant Member, I have to inform him that he is at perfect liberty to move for the rank and names of the several officers of Royal Engineers who have been sent to Turkey since August, 1876. With respect, also, to the second paragraph of the Question, he is quite welcome to have the date of that despatch; but when he comes to ask the third and fourth paragraphs, inasmuch as those officers were sent out for the information of Her Majesty's Government, and not for the information of the public, I must decline to give the information he asks. They proceeded under the authority of the Commander-in-Chief and myself, and their services were not solicited by the Turkish Government.

Sir HENRY HAVELOCK: I beg to point out that the right hon. Gentleman has failed to answer the second part of the second paragraph of the Question, as to the dates of the despatch and arrival of these officers.

Mr. GATHORNE HARDY: I really thought it was unnecessary to repeat every word; but the hon. and gallant Gentleman is perfectly welcome to have the dates of their despatch and arrival.

MERCHANT SHIPPING ACT, 1876—THE "IRTON."—QUESTION.

Mr. PLIMSOLL asked the President of the Board of Trade, Whether his attention has been called to the case of the "Irton," of Whitehaven, which is alleged to have arrived in Bristol with ore in an overloaded condition, so much so that even the owner's load-lines on both sides were under the water; and, whether, if the account be true, it is the intention to punish such a breach of the Law?

SIR CHARLES ADDERLEY: My attention, Sir, has not been called to the state of the *Irton* on her arrival. There may be information in possession of the officer in charge of the district which has not yet reached the Board of Trade. The Notice of the Question having only appeared this morning, I have not had time to ascertain whether the statement that this ship came home overloaded from a foreign port is correct. As soon as I receive information, I will communicate it to the hon. Gentleman.

MERCHANT SHIPPING ACT, 1876—THE LOAD-LINE.

QUESTION.

MR. PLIMSOLL asked the President of the Board of Trade, Whether he is aware that on the 30th ult. there were twenty-nine vessels in the West India Docks, none of which had a load-line painted upon them; that on the 31st ult. there were in the East India Docks forty-three vessels, only eight of which (seven iron and one wood vessel) had a load-line painted upon them; and, what measures he is prepared to take to secure a better observance of the Act passed last Session on this subject?

SIR CHARLES ADDERLEY: I am not aware how many vessels may be lying in any dock with or without a load-line. Probably there are a good many timber ships in the India Docks which are not proceeding to sea, and will not proceed till the spring, and many of them may have no mark on them at present. The Act orders the load line to be marked before entering a ship outwards upon any voyage, and to be retained till her return. The mark may vary with the voyage, and would not be put on a long time before, and if a ship is lying up and cleaning the last mark would very likely be effaced in dock, and it is the express intention of the Act that it may be altered for every voyage. As to what measure may be necessary to secure a better observance of the Act, I can only say that I have every reason from information and my own observation for believing that the Act is very generally and very usefully observed.

MERCHANT SHIPPING ACT, 1876—THE "OGMORE."—QUESTION.

MR. PLIMSOLL asked the Secretary of State for the Home Department, Whther he is aware that a part of the crew of the "Ogmore" (which was detained at Weymouth on Thursday by the Board of Trade on the ground that she was unseaworthy) were sent to Dorchester Jail for refusing to proceed to sea in that vessel; whether, seeing that Mr. Turner, the principal shipwright surveyor of the Board of Trade, has declared the "Ogmore" to be unsafe, he will direct or has directed the release of those seamen; and, whether it is in his power to grant the seamen so imprisoned any compensation for the injustice they have suffered?

SIR CHARLES ADDERLEY: It is true that part of the crew of the *Ogmore* were committed by the magistrates of Weymouth to jail for refusing to go to sea. The Secretary of the Marine Department of the Board of Trade having reason to doubt the seaworthiness of the ship, sent the principal shipwright surveyor, Mr. Turner, to make a further survey, and he detained the ship in the act of going to sea with another crew on finding her masts unseaworthy. Upon this the Board of Trade immediately applied to the Home Secretary to release the men from jail, and they were released. The hon. Member for Derby sent a memorial to the Board requesting that this might be done, which arrived the day after, confirming the justice of the course which had been pursued. With regard to compensation, I need only say that the seamen so imprisoned have a remedy against the owner or master under the 9th section of the 85th chapter of 36 and 37 Vic., under which provision the owner of the *Goldfinder* of Greenock was lately very severely mulcted.

TURKEY—DECLARATION OF THE EMPEROR OF RUSSIA—QUESTION.

MR. B. SAMUELSON asked Mr. Chancellor of the Exchequer, with reference to the telegraphic despatch of Lord A. Loftus to the Earl of Derby, dated Yalta, November 2nd 1876, containing the following words:—"He (the Emperor of Russia) hoped that the unjust suspicions entertained in England of his policy would be discarded. He pledged his honour that he had no views of conquest or of Constantinople, and repeated this declaration several times in the most solemn manner;" and to the reply of the Earl of Derby of November 3rd, that "Her Majesty's Government have received with the greatest satisfaction the assurance which the Emperor has given you," and "You will speak in this sense both to His Imperial Majesty and Prince Gortschakoff; and, whether the contents of those despatches had been communicated to the Prime Minister on or before the 9th of November?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir, of course they had.

EGYPT—THE SLAVE TRADE IN THE RED SEA.—QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether, during the last three years, any attempt has been made by Her Majesty's Government to get a Treaty for the suppression of the slave trade negotiated with Turkey, so as to give us better control of the traffic from Africa by the Red Sea and elsewhere?

MR. BOURKE: Sir, Her Majesty's Government have been in communication with the Government of Egypt on the subject of the slave trade in the Red Sea, and the draft of an anti-Slave Trade Convention has been prepared. It will probably be sent to the Consul General at Cairo in the next few days. Negotiations with the Turkish Government on the same subject were begun some time ago, but have been temporarily suspended for the last 18 months in consequence of the state of political affairs.

LOCAL GOVERNMENT (IRELAND).

QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, Whether, in view of the application to Parliament of the Municipal Council of Dublin for an enabling Bill to effect certain reforms and improvements in that city, it is the intention of Government to facilitate the purpose of the said Council by aiding special legislation for Dublin, or by introducing a general measure for improved powers of local government in Ireland?

SIR MICHAEL HICKS-BEACH: Sir, I believe that the application of the Municipal Council of Dublin to Parliament is for a local improvement Bill. I know of no reason why Parliament should interfere in private legislation for the City of Dublin any more than for any other municipality of the United Kingdom. With regard to the second part of the hon. Member's Question, whether the Government intend to aid the purpose of the Council by the introduction of a general measure for improved powers of local government in Ireland, that is a question of a wide and indefinite character. The hon. Member is aware that a local inquiry has been in progress in Ireland in relation to the subject of local government and taxation of towns, and when that inquiry has been completed, it is probable the Government will introduce some legislation on the subject.

PARLIAMENT—MEETING OF THE HOUSE—ASH WEDNESDAY.

Resolved, That this House do meet To-morrow, at Two of the clock.—(*Mr. Chancellor of the Exchequer.*)

EAST INDIA FINANCE.

MOTION FOR A SELECT COMMITTEE.

MR. FAWCETT, in moving that a Select Committee be appointed to inquire into the Finance and Financial Administration of India, said, he rejoiced that he was able, through the courtesy of the hon. Member for Peterborough (Mr. Whalley), and the hon. Member for Cork (Mr. M'Carthy Downing) to bring forward thus early in the Session a Motion which would afford the House an opportunity of showing that, whatever might be their opinions on the Eastern Question, they were not indifferent to subjects deeply affecting the welfare of India. Any one who had the most cursory acquaintance with Indian finance knew that every question connected with the administration of that great dependency, every measure that might be adopted to promote the well-being of her people was inextricably bound up with the present condition of her finances. A great statesman some years ago said that finance was the key of our position in India, and however true that might have been a few years ago it was doubly so now, for events were each year happening which more conclusively showed that no service that could be rendered to India was of such prossing importance as to place her finances in a more satisfactory position. But apart from that general consideration, there were special reasons that induced him to ask for inquiry just now. It would be in the recollection of many that in the Session of 1871 a Committee to inquire into the finances of India was appointed on the Motion of his right hon. Friend the Member for Greenwich (Mr. Gladstone). That Motion was identical in terms with the one he intended now to move, for he thought he might safely follow in the footsteps of his distinguished Friend. His right hon. Friend then thought the inquiry was of such unusual importance that, in the first instance, he proposed that the Committee should be a joint one of both Houses; but the suggestion not meeting with general favour in the House was abandoned, although in the very significant debate to which it gave rise the present Prime Minister, remarking that Indian finance was a subject which directly affected English taxpayers, said—

> "The ill-management of Indian finance must recoil ultimately upon the financial resources of this country."—[3 *Hansard*, cciv. 774.]

He also endorsed the doctrine held by almost all the preceding speakers, that it was inadvisable to ask for a joint Committee, because it was a subject that ought to be dealt with by that House alone, and in consequence the idea was abandoned. A Committee of that House, therefore, was nominated, consisting of 32 Members, including some of those holding the most important positions in the present as well as the late Government. It commenced its labours in 1871, and they were continued through the Sessions of 1872 and 1873; but the subject which had to be inquired into extended over so wide a field, and such a great amount of evidence had to be taken, that at the close of 1873, the last Session of the late Parliament, the inquiry was not completed, and the Committee unanimously recommended that they should be re-appointed. Among those who joined in that recommendation were the present Chancellor of the Exchequer and the present Home Secretary, and that being the case, he would ask those right hon. Gentlemen if it was true, as rumour informed him, that they were going to refuse the Committee of Inquiry which he was about to ask for? He would call upon them to say, in explicit language, why, having concurred in the strong recommendation that was made, on the ground that the evidence had not been completed in 1873, they were of opinion in 1877 that further scrutiny was unnecessary? He was curious to hear from the Chancellor of the Exchequer, one who could speak with the knowledge of a former Indian Secretary, what had happened in India during the last six years to make him think that Indian finances, which in 1873 required a most scrutinizing examination from a Committee of that House, now no longer needed the same close investigation. Did he think that the occurrence of two terrible Famines within that brief period, Famines which had, and would, he feared, put a severe strain upon the finances of India, could be pleaded as a reason why the House of Commons should concern itself less with Indian finance? Did he think that what was brought to light last year by a Committee of that House on the depreciation of silver over which his right hon. Friend the Member for the City of London (Mr. Goschen) presided should make them less solicitous about India's present financial condition? Was not the grave inconvenience then, with a striking reality, shown of having permitted the Home Charges to so constantly increase that now nearly one-third of the entire Revenue of India was spent in this country? Surely one who had, like the right hon. Gentleman opposite, made the reduction of the English Debt occupy the foremost position in his own financial policy could not view with complacency the constant additions which were made to the Debt of India, and could not think it a subject which needed no inquiry, that India's financial position was one of such extreme tension, that all her resources seemed to be so entirely exhausted, that any item of exceptional expenditure could only be met by a fresh loan? It was particularly to be noted that the Committee joined in recommending its re-appointment in 1873, not simply because the inquiry had not been completed, but especially because only two Natives of India had been examined, and the Committee—

> "had received a communication from Her Majesty's Government that steps would be taken to provide for the expenses of Natives of India who might be selected by the Government and approved by the Committee to attend before them for the purpose of giving evidence, in accordance with the recommendation contained in their former Report; and arrangements were being made for the attendance of these witnesses before the Committee at the commencement of the next Session."

Under these circumstances, if the accidental occurrence of a General Election and a change of Government were used to bar further inquiry, what was the interpretation which would be put on the proceeding by the people of India? The inquiry, it would be said, was allowed to go on until some of the people themselves were about to be called upon to give evidence, and then the whole thing was got rid of by a side wind, which he was afraid would be regarded as a somewhat unworthy and ungenerous device. But what occurred after the General Election? On the 20th of April, 1874, the noble Lord the present Under Secretary for India (Lord George Hamilton) moved for the appointment of a Select Committee to investigate the Home Charges. At that time he (Mr. Fawcett) was not a Member of the House, but so far as he could discover from *Hansard* the Committee was moved for without a word of explanation, and the Motion agreed to without a word of debate. The Government, he understood, thought it was better to divide the inquiry, as it were, into separate departments; but the fact remained that the present Government and the present Parliament unanimously agreed to an inquiry in 1874. The Committee, consisting of 21 Members, was nominated on March the 30th, a Member of the Government—the right hon. Gentleman the Member for Shoreham (Mr. Stephen Cave)—being elected Chairman. It began taking evidence on the 12th of May, and on the 28th of July a Report was agreed to, the concluding paragraph of which was as follows:—

> "In conclusion, your Committee would suggest that, as they have not had time to investigate the various Home Charges which are not connected with military expenditure, they should be re-appointed next Session. As much evidence was taken in reference to these Charges by the India Finance Committee, which sat during the three previous Sessions, it is probable that the inquiry might be completed within a reasonable period."

He would not say that that recommendation had been treated with contempt, but it had certainly been as completely ignored as if it had never been made. The following Session, so far from the inquiry being continued, a Committee was appointed to inquire into certain officers' grievances, an investigation which could not diminish, but might and did add to, the Charges on the Revenues of India. If the Government intended to resist his present Motion, he could not divine to what excuse they would resort; they were absolutely precluded by their own words and acts from saying that no further inquiry was needed. Happily, it was unnecessary for him to bring forward any opinion of his own to support a demand for renewed inquiry. In 1873 the right hon. Gentleman the Chancellor of the Exchequer, the Home Secretary, and two other Members of the Government united in asking the House to grant further inquiry. At the close of the Session of 1874 the same demand was renewed by the official Representative of India in that House, and by every other Member of the Committee. There was nothing he should more deeply regret than to say a single word which would add to the difficulties of those who were responsible for the government of India at a time of no little anxiety, but he felt constrained to say that a refusal to grant further inquiry and a determination to arrest it just at the point when some of the people themselves would have an opportunity of being heard, would inevitably suggest many suspicious, and undoubtedly produce a most unfavourable impression throughout the length and breadth of that country. He had heard it said, but he could not vouch for the truth of the assertion, that the Government would not re-appoint the Committee because it would prove embarrassing to the Indian officials, who were already burdened with the troubles attendant on the Famine. Well, if that was to be the excuse of the Government, they would have to give valid reasons for upholding it, for it was particularly to be noted that the Famine of 1873-4 was at its height when the Government appointed the Committee of 1874. Lord Northbrook was not embarrassed by investigation at a time when he had a Famine to deal with, but, on the contrary, his hands were strengthened and the cause of good government in India was promoted. So far as he had been able to judge, those who had had most experience of official life in India were those who were most anxious for the fullest and freest investigation; but apart from that, he believed he should be able to show that the events of the last three years had given renewed force to every consideration which prompted the late Government in 1871 to propose a Committee of Inquiry. Within a very brief period different parts of India had been visited by two widespread famines, the consequence of which had been that millions of people had been reduced to the verge of starvation. To alleviate their distress, the Government had to provide for their subsistence, a proceeding that involved an expenditure which it had been altogether beyond the power of the ordinary revenue to meet. An addition of, probably, not less than £12,000,000 would consequently have to be made to the Debt of India. To a country as wealthy as England such an expenditure would be serious; to a country as poor as India it was disastrous and perilous. So severely had all the sources of new and increased taxation in India been strained, so completely had all the sources of revenue been used up, that when any emergency occurred it had to be solely met by increased borrowing. Now, a pay day must come at last, and increased borrowing could in the end lead to no other result than increased taxation, and increased taxation, as they had been told by one whose warning the present Government should at least heed, the late Lord Mayo, would be, in the present condition of India, a "political danger the magnitude of which could not be over-estimated." Again, Sir William Muir, a statesman whose judgment they had reason to respect, had stated that the depreciation in the value of silver, "from whatever point of view considered, was the gravest danger which had yet threatened the finances of India." No doubt there had been a recovery in the value of silver, but he would be a bold man who would say that its value was certain to be maintained. As a depreciation in the value of silver would be a misfortune of incalculable consequence to India, he wished to direct particular attention to the fact that it was unanimously admitted by the Committee of last Session, that of all the causes which contributed to bring about a depreciation in the value of silver, not one was more potent in its influence than that increase in the Indian Home Charges which was constantly going on. If it was objected that the terms of his Motion were too general and wide in their scope, he could only say that, being anxious to follow the precedent set by one of the greatest authorities of that House, he had taken the exact words of the Motion of the right hon. Member for Greenwich. He thought, moreover, he should be showing greater deference to the House if, instead of indicating in the Motion the subjects which most urgently needed inquiry, he left this to be decided by the Committee, should it be appointed. The Government had been of opinion that a Committee ought to be appointed to inquire into the increase in the Home Charges when their effect had not been recognized; but now that they had discovered that these Home Charges affected the value of silver, they said that any one who proposed an inquiry into Indian finance was proposing that which was superfluous and unnecessary. It was not, however, difficult to indicate some of the subjects upon which an authoritative expression of opinion from a Committee would be most desirable. Any one who turned to the Report of the Committee of 1873 would find that the Chancellor of the Exchequer and the Home Secretary felt a keen anxiety to ascertain how it had come to pass that there had been a large increase in military expenditure in India, accompanied by a considerable diminution in the numerical strength in the Army. Could they think it unreasonable if others in 1877 shared their anxiety, and felt the same desire to throw some light upon this important and interesting fact? Again, he believed there was not a financier of authority who did not think that the finances of India could never be placed on an intelligible and satisfactory basis so long as the present distinction between Ordinary and Extraordinary expenditure was maintained. Experience derived from the Continent should warn them that a resort to Extraordinary Budgets had not unfrequently been the last desperate resource of embarrassed Governments. Then, the Public Works expenditure in India was in a maze of inextricable confusion. No one could tell what was the exact financial result of any work that had been executed; and when money was wasted through blundering and mismanagement it generally seemed impossible to discover who was responsible. Those hon. Members on the other side of the House who were so solicitous about local taxation in England would find that there were in India questions connected with local taxation which would afford an inexhaustible field for the employment of their reforming zeal. The subject of pensions most urgently needed careful investigation and revision. Pensions were granted and held in India on conditions which would not for a moment be allowed in our own country. It was, he believed, the invariable rule of our own Civil Service that when any one who was in receipt of a pension again accepted office under the Crown, and received a salary, his pension was suspended; and though that was the custom in a rich country like England, yet in a poor country such as India both salary and pension continued to be paid. He would not incur the risk of wearying the House by the enumeration of a long list of not less important subjects which earnestly needed investigation. Any one might discover them for himself who turned to the evidence given before the two former Committees. Beyond that, the House would be stultifying itself if it appointed a Committee on two occasions and refused to re-appoint it a third time to complete its work. Wide as was the field of inquiry, the work of the new Committee would not be so great as might be supposed, because the whole of the evidence which had been taken before the previous Committees might be referred to it, and there would be an unusual opportunity of readily using this evidence, because it had been, with the greatest industry, most admirably indexed by Mr. Ayrton, who for three years presided with so much ability over the Committee appointed by the late Government. With regard to the Amendment of which the hon. Member for Cambridge (Mr. Smollett) had given Notice, he thought it was a very strange one, and he could not understand how the hon. Gentleman brought it forward as an Amendment. He believed it was brought forward in no spirit of opposition—[Mr. Smollett: Hear, hear!]—because the only difference between them was that the hon. Member thought the House was in a position at once to decide on some of the most important points connected with the financial position of India. In a previous Session he (Mr. Fawcett) proposed a Resolution almost identical in terms with that of the hon. Member. It was on that occasion said from the Treasury Bench, in reply to that Resolution, that as the Committee had been appointed, and as it had not completed its inquiry, until that inquiry was completed and it had had an opportunity of expressing its opinion, he would be treating the House with contempt if he pressed his Motion. They could not use that argument now. If the Government resisted further inquiry they were reduced to a pitiable, do-nothing position. Let one thing or the other be done. Let the Government either facilitate further inquiry, or let them at once say—"We disregard the opinion of two Committees who decided that further inquiry was needed; the House is in possession of ample information to enable it to express its opinion on any point connected with the financial position of India." And now, before he resumed his seat, he should like, if the House would allow him, to make one appeal to hon. Members opposite. In the protracted debates which occurred when the Government of India was transferred from the East India Company to the Crown, leading Members of the House vied with each other in the expression of an earnest hope that India would never be made in that House the battle-field of Party conflicts. So far as he had taken any share in Indian debates, he thought the House would bear him out when he said he had never been actuated by Party motives. When the Party to which he (Mr. Fawcett) belonged was in power, and when his hon. Friend the Member for Elgin (Mr. Grant Duff) was the official Representative of India in that House, he believed his hon. Friend would acknowledge that they on Indian questions were not always in the same Lobby, that he did not give an undeviating support to everything his hon. Friend proposed, and that he did not express an unhesitating approval of everything he said. If he were now sitting on the Government side of the House, he should certainly not less earnestly press for an inquiry. He should do so because, fully and cordially endorsing the words of Lord Salisbury, he believed that the most effectual way of securing financial justice for India was for the House of Commons to be constantly watchful of her interests. If they were prepared to exercise that watchfulness, no labour which they could bestow on any work would ever yield a richer harvest of results. Whatever might be their difference of opinion on some subjects, they must alike desire to unite the people of India to this country by the bonds of a stronger loyalty and of an increasing contentment. The most costly ceremonial, the most glittering pageant, would soon be forgotten. But a desire shown by that House to lighten the burden of taxation which might oppress the people of India, and to promote every measure which might add to their happiness and increase their welfare, would every day link together in a closer union the rulers and the ruled, and would place our Empire in the East on a firmer and securer basis. The hon. Member concluded by moving for the Select Committee of which he had given Notice.

SIR GEORGE CAMPBELL, in seconding the Motion, said, that while declining to pledge himself to entire concurrence in all the views which the hon. Mover had expressed on the subject of Indian finance, he was decidedly of opinion that it was most desirable that the Government should grant some inquiry of the nature which his hon. Friend had asked for. He would not express any confident opinion as to what body the inquiry should be entrusted to; and he was rather inclined to think that a Joint Committee of both Houses of Parliament, so as to obtain the benefit of the large experience of Members in the other House, would be preferable. The matter might, perhaps, be entrusted to a Royal Commission, including Members of both Houses of Parliament; but in any case he trusted that an inquiry in some form would be granted. Whatever shape the inquiry might assume, there were few, he imagined, who would deny the necessity which existed for a periodical review of Indian affairs generally, and especially in connection with the finances of that country, with respect to which, under the rule of the East India Company, there had been a continuity of policy, which during the last 20 years had given place to a system of oscillation from one extreme to the other. He had served under both the East India Company and the Crown, and he thought that the Government of the former had some advantages over the present. There was not, for one thing, the same see-saw in policy. Under the East India Company's *regime*, the administration of India was solemnly and carefully reviewed every 20 years by inquiry at the instance of the Houses of Parliament, and great benefit resulted from that practice. Now that the Government of India had passed to the Crown, no such periodical review had taken place. Another result of the change in the government of India was that the affairs of the country were dealt with in a very desultory and unsatisfactory manner in that House, where it was very rare, and he hoped an omen for good, to see so large an attendance as on that evening when Indian subjects were under discussion. As things now stood, all those men who were most remarkable for their knowledge of India were put, as it were, into a cellar, for the Council deliberated in secret, and the world was deprived of all public expression of their views. This, he thought, was all the more to be regretted, because the Government of India had become a matter of greater difficulty than it was before; they had now a larger territory to administer than formerly, as well as to deal with internal questions of greater magnitude and intricacy. Of late there had been manifested a disposition to say—" You must not attempt to deal with these things in this country, but you must trust your Government in India." It was rather too much the practice also to think that the Government of India was the Viceroy. People were rather apt to overlook the Council of the Viceroy, and to lay upon him the whole strain and stress of the Government. What he believed to be the situation was, that they did not get men of the same political eminence to accept the position of Viceroy as they did in the old days to accept the position of Governor General. They did not send men who had had the rank of Cabinet Minister, and who had reached the highest rank in this country. They sent men, good, no doubt, but men who had been in no high position. The same difficulty arose with regard to the Finance Ministers whom they sent out. For a time they did send out several distinguished men to deal with the finances of India, but he understood that of late years it had been difficult to get such men to leave this country. The consequence was that on several recent occasions it had almost become the practice that the Finance Minister should not be sent from this country but should be one of the Civil servants selected on the spot. They were very good men, but their training was local; the man who was selected by the Viceroy himself ceased to be an independent controller of Indian finance, and in some respects was a dependant of the Viceroy, selected from his own servants. The Viceroy, too, was assisted by the other Members of his Council, but instead of advising him as a body, several of the Members were specialists who were unprepared to advise the Government on matters unconnected with their respective Departments. Consequently, in these modern days, especially in regard to finance, the Viceroy individually had acquired an inexpedient degree of power, and the result was that the oscillations of policy to which he had alluded were now extreme, whereas formerly they were moderate. Now, he thought it an unsatisfactory state of things when a Viceroy of India was able of himself to control the whole policy of Indian finance, and in his opinion this was shown when Lord Northbrook did away with direct taxation in the country. The abolition of the income tax involved not only a question whether it should be imposed for any definite period, but whether some direct taxation on the richer classes in India should or should not be made a part of our system, and Lord Northbrook and his Council took different views on the question. He desired to speak of that noble Lord with all respect; but he was one of those Governors General who had not held high political position before going to India; when the financial question came before him he had not been long in that country, and he went out with certain preconceived ideas with regard to Indian finance. That noble Lord had confidence in his own opinions; he was accustomed to bureaucratic ways, and he was not inclined to take the advice of his Council, but to follow his own in a somewhat decided manner. There was at the time a great division of opinion both outside and inside the Council on the question of direct taxation. In the Council there was a great majority of Indian opinion in favour of maintaining a system of direct taxation, the Finance Minister also being of that opinion; but the Governor General was enabled to carry his views in favour of abandoning it by a small majority composed of what he (Sir George Campbell) called specialists, not having strong views of their own, and who did not oppose opinions to the Governor General. Under these circumstances, it was to be expected that the final decision would have to rest on the Home Government. He was very much astonished last Session to hear the Duke of Argyll state in the other House that he knew that Lord Northbrook was going to take a course in which he (the Duke of Argyll) did not concur, but he thought it was a matter which it was fair to leave to the decision of the Government of India. The result was that the great question with regard to direct taxation in India was decided by Lord Northbrook in favour of abandoning it, contrary to the view of the Secretary of State and the Home Government and the most experienced Members of his own Council. In his judgment, the responsibility of a change of that kind ought not to be left to the decision of a single man, however able and experienced; and this was one of the points which might be investigated by a strong Committee, such as his hon. Friend the Member for Hackney asked for. The late Mr. James Wilson, a man of great weight and experience, having examined into Indian finance, came to a conclusion which took the form of a new system of taxation, and a certain alteration of the financial system of India; but since his death all the improvements and changes which he introduced had been abandoned and swept away, until not a vestige remained. After Mr. Wilson's death came a period of reaction, of apparent prosperity, and the doctrine was advanced that India was to become prosperous and rich for ever by a system of public works, by means of extraordinary loans; but from personal experience he was able to say that it had resulted in great waste. The administration was very much localized, whilst the system of finance was centralized in a most extreme degree, and the consequence was that every local government had but a comparatively small incentive to increase and husband its resources, whilst it had the greatest possible interest to get as much as possible out of the central chest for its own local works. That was the second oscillation which occurred. Well, following this period of comparative prosperity, of high hopes and lavish expenditure, there came a sudden reaction. Lord Mayo and his Advisers, when they took charge of Indian finances, became possessed with the idea that those finances were being spent a great deal too fast, and that the Revenue was not in the satisfactory state which had been supposed. They were justified in that opinion, and they proceeded to adopt measures which would insure retrenchment and increase the Revenue, and those measures operated beneficially. Among other things, they gave to local governments limited powers of taxation. That was the third oscillation. But Lord Mayo was unhappily cut off by the hand of an assassin, and there came another distinguished man, Lord Northbrook, to whom he had already referred. That noble Lord, as he had said, went out with preconceived ideas as to Indian finance, and he put into practice those ideas which were directly opposed to those which had been entertained and put in force by Lord Mayo. Lord Northbrook withdrew the power of taxation from local governments, he abolished the system of direct taxation, and in many respects reversed the policy of Lord Mayo. That was the fourth oscillation, and then another change came about. Another Governor General—Lord Lytton—was appointed, and he was apparently inclined to adopt a financial policy extremely different from that of Lord Northbrook and very like that of Lord Mayo; this was the fifth oscillation. What he contended for was that the present system of change was undesirable and dangerous, and that it would be most beneficial not only to India, but also to this country, if the whole system were thoroughly sifted and examined by a body of gentlemen strong enough to test it and to lay down some general principles on which the finances of India and the administration of India might in future be conducted. What was to be feared was not so much excess of taxation—in that point he differed from his hon. Friend the Member for Hackney—as constant and violent changes in the system of taxation. He was inclined to think that the charge necessarily laid upon India might be borne by India; but if they wished to avoid constant complaints, discontent, and irritation, they must have a fixed and continuous system. They must introduce taxes deliberately and keep them on, not put them on one day to take them off the next, and then re-impose them. He wished to point out to the House that in India, when once a direct tax was taken off it was a most difficult thing to impose it again, and what he wanted was that in times of peace we should husband our resources. He could not but think the most important principles might be settled by a well-constituted Committee, as, for instance, the financial relations between the local governments and the Government of India; as to whether the latter were justified in spending up to the limit of income, or, whether in time of peace and prosperity there should not be a margin for the purpose of preparing for pressure caused by famine, the depreciation of silver, war, or any other cause.

One other subject of great importance might be considered by the Committee. Under the Native Government of India and down to the time of the East India Company, by far the greater part of the Revenues of the Indian Government was derived from the rent of land. That state of things had been greatly changed of late years. The Government had surrendered to individuals nearly half the rent of the land, and the consequence was that strong interests among landowners, great and small, had been created, and it became necessary to supply the deficit of Revenue by means of taxation in the modern European form. Some were of opinion that the right course had been adopted, others that it had not; and, in fact, there were two schools striving against each other in India, and it would be very desirable that some fixed principle was laid down on that subject also by able men, who would consider it without prejudice or passion. He thought that the whole question of land tenure and taxation in India could be dealt with by some authority such as that asked for.

There was another question he wished to touch upon—namely, as to the expenditure on Famine relief in India. This was a subject on which he might venture to speak with considerable experience, because he had felt the inconvenience of being subjected to public opinion without any rules being laid down for his guidance as to how he should act on such occasions. There had been great oscillation with regard to this question, and it was one as to which some settled principles should be arrived at by competent authorities, by which those who had to carry them out should not only be guided, but protected. At the time of the Famine in Orissa, all the circumstances were minutely examined by a Commission, of which he was a Member, and when the Bengal Famine occurred he was much assisted as the responsible administrator to deal with it by the experience he had acquired during the inquiries of the Orissa Commission. The Commission on the Orissa Famine, of which he was at the head, had not, however, weight and position sufficient to carry the adoption of their recommendations. He was overruled, and another system was followed which led in some degree to excessive relief being granted. In doing so, no doubt a mistake was committed, and some distinguished men after thus having had experience of the two extremes were desirous that some general principles should be laid down for guidance on similar occasions. Those principles were not, however, laid down at the time, and now another famine found us equally unprepared. The consequence was that the authorities had to give sailing directions while the ship was in the midst of the storm, and it was much to be regretted, although it was by no means matter of surprise, that differences occurred between the Government of India and the local governments that had to deal with the famine, each attributing blame to the other. If, however, the whole question of Indian finance was submitted to a body fully competent to deal with it, principles might be laid down which would be of the greatest use in future famines. He believed that the Government of India were now dealing with the famine, on the whole, in a discreet manner, and that they were not going too far either in one direction or the other. It would be, however, far easier and more satisfactory if the principles upon which the Government of India were acting had been decided upon before and not during the famine.

Sir George Campbell

He believed that inquiry into Indian finance was necessary, not only because great oscillations of policy had occurred, but because the present state of Indian finance was, as his hon. Friend had pointed out, extremely unsatisfactory. Of late years, from one cause and another, there had been no margin to meet unexpected demands, and his hon. Friend was perfectly right in saying that whether it was that they had exhausted the capacity of India for taxation, or for any other cause, it was very unwise that the Government should run their expenditure so close to their Revenue. From the time that Lord Mayo's plans had been reversed there had been a continual deficit. It had been necessary to contract great loans. Loans were found to be necessary every year for unproductive works. And now the Famine necessitated further loans. The depreciation of silver was another cause of financial disturbance, and while Indian loans were thus increasing from year to year, it could not be said that a prudent course was being followed in regard to Indian finance. It was, therefore, most important that the question should be considered and dealt with by a proper body, which should decide whether it was necessary to add increased taxation or reduce the expenditure of India. His own impression was that if we were to modernize our system of Indian finance it might be necessary to introduce some additional taxation. This, however, should only be done after the fullest inquiry, and it should no longer be left to any individuals, however high, to put on and take off taxes, and alter the system at their own will and pleasure. If the Government would tell the House that after 20 years of Imperial Government the time had come—say in 1878 —when a general review of Indian finance might fairly be intrusted to some high and competent body, he would recommend that the matter should be left in the hands of the Government. If, however, the Government intended to resist all inquiry as unnecessary, he should support his hon. Friend the Member for Hackney, and hoped he would divide the House on his Motion. He ventured, however, to hope that the Government would not take such an extreme course, but that they would promise an overhauling of the Indian finances which should be effected within a moderate space of time. The hon. Member concluded by seconding the Resolution.

Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the Finance and Financial Administration of India."—(*Mr. Fawcett.*)

MR. SMOLLETT in rising to oppose the Motion, and to move as an Amendment, to leave out from the word "That" to the end of the Question, in order to add the words—

> "This House, viewing with alarm the financial deficits in our Indian Administration during the last ten years, and the constant additions made to the debt of India during that period, is of opinion that no new public work should be undertaken which would necessitate the raising of fresh Loans either in India or in England; and that, in order to place the finances of India on a satisfactory basis, the distinction which is now made between Ordinary and Extraordinary Expenditure should be discontinued,"

said, he regretted that he was under the necessity of following this course, because in the main he agreed with the views of the hon. Member for Hackney on Indian finance. He could not, however, bring himself to believe that by any Committee of the present House of Commons any proper inquiry could be made, or that any improvement would follow from investigations into Indian expenditure conducted by Members of Parliament in London. He very much feared that even amongst old Indians in the House there were not more than one or two, including himself, who had the smallest wish to introduce any diminution in the expenditure of our Indian Empire. He believed that the scope of such an inquiry as that proposed would be, moreover, too wide; the Committee would probably occupy more than one Session in their researches; they would accumulate a vast amount of untrustworthy evidence; and he believed that no useful result whatever would come from their labours. Probably at the end of two or three Sessions we should have a Dissolution of Parliament, and then the inquiry would come to an end. Abundant information already existed which would enable the House to put its hand on the blots of our Indian Administration and put an end to them, and this might be done by way of Resolution and without the incumbrance of a Select Committee. The question of Indian finance was a matter of very grave importance, which was often criticised with much ability by the organs of public opinion out-of-doors, but which in that House never attracted the smallest attention. The cause of the disinclination felt in that House to listen to Indian debates was that Secretaries and Under Secretaries for India were selected, not because they knew anything of India, but because they knew nothing about it. These Gentlemen, through knowing nothing about India, contrived to make their statements as intricate, as unattractive, and as incomprehensible as they possibly could. They usually had a natural inaptitude for making their statements on Indian affairs emotional, and as if this were not sufficient to repel men from Indian finance, they manœuvred, with great success, to delay to the latest possible working day of the Session the discussion of subjects connected with India. For the last two years—namely, in 1875 and 1876—the day for discussing the Indian Budget was deferred until the 10th or 11th of August, and, of course, at that period of the Session, on the eve of the great and inviolate festival of British sportsmen, the 12th of August, to bring on any debate on Indian subjects was a farce. If a Bulgarian atrocity debate were fixed for the 12th of August, with the right hon. Gentleman the junior Member for Greenwich (Mr. Gladstone) to lead it, it was probable he would have no audience to address. The conduct of the Indian debate on the 10th of August last year was most objectionable. For some weeks the hon. Member for Hackney had had on the Paper Notice of a Resolution he meant to move as an Amendment to the Motion that the Speaker leave the Chair, in order that the Indian Budget should be considered in Committee as it ought to be; but in moving that the Speaker do leave the Chair the noble Lord the Under Secretary of State for India (Lord George Hamilton) dragged the Indian Budget in by the head and shoulders. That, in his (Mr. Smollett's) opinion, was a very unusual if not an irregular proceeding;

and although the hon. Member for Hackney brought forward his Resolution, the result of the irregularity was that the whole debate was a perfect muddle. Amendments were moved, and speeches were made on the taxation of cotton goods, and sermons were preached upon the depreciation of silver, the moral of which was that masterly inactivity was the best cure for that great grief. In this way the whole evening was wasted, and at 2 o'clock in the morning, when the reporters had gone to roost, and the benches were empty, the Amendment which had never been discussed was withdrawn, and the House recorded in Committee without debate or observation a Resolution showing that in the year 1874 India was in a state of insolvency. That was a great farce, the management of a debate in that way was, he thought, insulting to the people of India; and he rejoiced to find an early opportunity this Session of putting this Amendment on the Paper, and of compelling its discussion. The Resolution which he was about to move was identical with the Resolution introduced last Session by the hon. Member for Hackney. He had omitted a few words only in reference to the depreciation of the silver currency. The omission was made advisedly, because the precepts of finance enunciated in the Resolution were principles that ought to be enforced in India at all times, whether the rupee should yield 1*s.* 6*d.* or whether it should produce 2*s.* 6*d.* sterling in exchange. The Amendment, now submitted to the House, applied itself to two distinct points of policy. It condemned, unequivocally, the practice of borrowing large sums of money in each year without reference to income, for the purposes, as the Government stated, of local improvement, the power of borrowing being only limited, so far as he could see, by the power which the Government had of mis-spending the money. He should endeavour to show that enormous sums had been wasted. He should also show that the practice of drawing a distinction between Ordinary and Extraordinary Expenditure had been most mischievous. He believed it was made for the purpose of delusion, and was now continued for the purpose of confusion. If his Amendment were adopted and honestly acted upon he believed that the Viceroy and his Council would be enabled, within two years, to reduce the expenditure by £5,000,000 sterling annually, and if this object was accomplished, then a large surplus income would arise, by means of which the impost levied on cotton piece goods might be at once repealed, a tax which vexed the Lancashire manufacturers, and which the Secretary of State admitted was at variance with the principles of that divine but dismal science, political economy. [*Laughter.*] Hon. Gentlemen might smile, and officials and ex-officials on either side of the House might be set up to deride the idea that the expenses of the Indian Empire could be reduced £5,000,000 sterling annually, but he knew something about the subject of which he was talking, and that was a great deal more than many officials knew. He should contend that this reduction of £5,000,000 was perfectly feasible, and he should shortly state the reasons why. In 1876 the financial position of India was very much like what it was in 1868, which was the last year of the thriftless administration of Lord Lawrence. He spoke of the administration as being thriftless because the noble Lord during the two last years of his Viceroyalty seemed to be entirely sat upon by the Public Works establishments in India. In that year the expenditure had risen to £53,400,000, and the income was £49,262,000, showing an excess of expenditure over income of £4,100,000. Happily for India, the Conservative Government of that day—the Government of Mr. Disraeli—selected, as the successor of Lord Lawrence, an Irish Nobleman, who, though he did not stand in the first class of statesmen in Great Britain, proved upon trial to be the very best administrator that ever set foot in India. That Nobleman was the late Lord Mayo, who, on taking his seat at the Council in 1869, was astonished to find the entanglement and confusion into which the finances had fallen under the management of his predecessor. The new Viceroy saw the absolute necessity of immediate reform, he set about it with a will, by slightly increasing taxation and enforcing rigid economy in all Indian establishments. At the end of 1869 he intimated to the subordinate Governments of India his fixed determination not to allow another year to exhibit a deficit, and he kept his word. In the season of 1870-1 there was a surplus of £350,000, and next year one of £1,500,000. In 1871-2 the income of India was £50,100,000, and the expenditure £48,600,000, and there was a real surplus, not a sham one, of £1,500,000, after the payment of every charge in India and in England. Of the £48,600,000, £47,000,000 was spent on Ordinary establishments and £1,600,000 on Extraordinary Works. He mentioned these figures to show that Lord Mayo did not altogether stint the Public Works Department in that year. Comparing the expenditure of 1868-9 with that of 1871-2, it was found that Lord Mayo had reduced it by the sum of £4,800,000 in two years, and what he had done might be accomplished by any of his successors, provided that the officer charged with the administration of our Indian Empire was equal in ability, energy, and intrepidity to Lord Mayo. If the present Governor General — of whom he knew nothing whatever—had not that character, the sooner he was removed, bag and baggage, the better it would be for British India. For what was the position of affairs as shown in the Budget Statement produced by Sir William Muir in Calcutta on the 31st of March last? Sir William Muir estimated the Ordinary Expenditure at £50,300,000. That was exactly £3,300,000 more than Lord Mayo found necessary in 1872. Sir William Muir estimated the Extraordinary Expenditure at £3,800,000; £2,000,000 more than Lord Mayo permitted to be spent in 1872. Sir William Muir estimated the deficit at £3,000,000, but Lord Salisbury thought it would be £4,000,000, and money to that amount was actually borrowed in London in June last for the purpose of meeting that estimated defalcation in the year 1876-7. This position of affairs in 1876 was, he thought, very disastrous, and it was very discreditable to those who had brought it about. He did not know who was responsible for it unless it were the Secretary of State for India and the Indian Council. The present situation of finance in India was injurious to the good government of India by Great Britain, for all the advantages which India derived from our rule were marred and discredited in native estimation in India by the extreme expensiveness of our Government; and this expenditure would go on increasing unless that House adopted the Resolution with which he should conclude, and compel the Government of India to retrace its steps. He might be told there was no necessity for any pressure to be put on Lord Lytton and the present Government of India, because on the 1st of July last Lord Lytton had issued a proclamation stopping the expenditure on some of the Extraordinary Works recommended by Sir William Muir; but he placed no reliance whatever on that Proclamation. Those works were stopped because the rupee only yielded 1*s.* 6*d.* at that time; and he could not understand why works of this kind should be stopped; if they were really reproductive, they should rather be hastened to a conclusion. He placed no reliance on that Proclamation for another reason. Lord Lytton issued another Proclamation on the 1st of October, in which he admitted the responsibility of the Government to use State resources to develop the country. The Viceroy declared it to be his determination to borrow money to carry on Extraordinary Works, provided loans could be raised in India and made payable in Indian currency. Those two Proclamations were inconsistent with each other. They proved the necessity that existed for Parliament to insist that loans for this purpose should not be made either in England or in India. At starting, he (Mr. Smollett) had stated he was prepared to show that much of the money borrowed for making reproductive works was wasted. He would now proceed to do so. Members now present who attended at a discussion on Indian finance upon the 9th August, 1875, would recollect the arguments then used. He stated that the impecuniosity of the Government in 1874 and 1875 was not caused by the necessity of borrowing money for the Famine. When the Famine was threatened in Bengal there was £19,000,000 or £20,000,000 sterling in the treasuries of India in the shape of cash balances. That was £6,000,000 at least in excess of what was thought necessary in time of peace in India. At the present moment Sir William Muir estimated the probable cash balances in 1876 at £13,000,000; £6,000,000 was therefore available from those balances in 1874 and 1875 for Famine relief. The reason why loans were made to a great extent in 1874 and

1875 was that it was necessary to supply means to carry on the Extraordinary Public Works which were only extraordinary because they never yielded anything. He stated in 1875 that it was the great waste of the Public Works Department that required the borrowing of £7,000,000 in that year. He described that Department as the curse of India. The salaries and emoluments of the officers and servants amounted to £1,500,000 a-year, and for many years they required to be supplied with £10,000,000 sterling from the ways and means of the State to keep the establishment in full employment and out of idleness. That sum was £5,000,000 in excess of what he thought necessary for any useful purpose. One-half of the present permanent Public Works expenditure ought to be at once dispensed with, and until one-half of that establishment was dismissed there would be no good government in India. Referring to the manner in which the public money had been wasted, he called particular attention in 1875 to the Orissa Canal, an undertaking made for the purposes of irrigation and navigation. That work was purchased from an insolvent company in 1869 for a sum of £1,048,000, although, in his belief, if the Government had waited, they could have had it for nothing in one or two years. He spoke of the company as insolvent because all its subscribed capital had been spent, and because it had in hand a work which did not yield the smallest return. That purchase was a great mistake, an enormous job. Now, what had been the upshot of that purchase. Since 1869 the Government of India had spent £1,250,000 in improvements and extensions, and at the end of 1874 the total capital stood at £2,283,000, not including the interest on the original purchase-money nor on the advances made of £200,000 a-year. If an account was brought to the year 1877 the expenditure would be nearly £3,000,000 sterling. The canal, in 1873, was worked at a loss of £23,000. Another great work was the Madras Irrigation scheme, and he called attention to the scandalous manner in which enormous advances had been made to that company by three successive Secretaries of State. That work never yielded one single shilling. He moved in the course of the last Session for an official Return of the liabilities of that company, and found them to amount last July to £2,760,000. Upon these two works £6,000,000 of public money had been mischievously wasted. In 1875 he pointed out, on the authority of *The Calcutta Government Gazette,* works of irrigation which had cost £3,000,000, and which up to that time yielded no return. One of those works was the Agra Canal, which was opened in 1874 at a cost of £900,000, and he stated on that occasion, and repeated now, that the engineers in charge of the works had reported that, so far from yielding any surplus, the Government would probably lose £200,000 in working expenses in two or three years. No answer was given to these statements; none could be given. The noble Lord the Under Secretary of State stated in 1875 that he had received a despatch which showed that on an expenditure of £8,000,000 or £9,000,000 on irrigation works the profit was 5 or 6 per cent. Now, he disbelieved that statement, though it came from the Governor General. He disbelieved it because it met with a direct contradiction from the Secretary of State himself. Lord Salisbury went down to Manchester in 1875 to have a palaver with the gentlemen of that modern city, gentlemen who thought they knew a great deal about India, and probably knew as much as the Secretary of State. A deputation from the Manchester Chamber of Commerce represented to his Lordship that all the evils that India laboured under and all the deficits might be removed if he would spend £50,000,000 or £60,000,000 at once on irrigation works. What did Lord Salisbury say, in reply? He (Mr. Smollett) had *The Times* report in his hand. The noble Marquess said—

> "That the Indian Government had had much experience in the matter of irrigation works, and they could scarcely yet be said to have had one genuine instance of financial success."

The noble Lord added—

> "Irrigation projects which had for their basis the former works of Native Rulers had in many instances been a financial success; but then, of course, that favourable appearance had been obtained by not charging the expenditure of the Native Rulers, and by calculating that all the receipts had accrued from repairs and extensions."

Now, what was that but a circuitous mode of declaring that Indian officials cooked the accounts? Lord Salisbury went on in these words—

> "In all these cases where we have begun the projects of irrigation for ourselves, we have not reached, I believe, in any one instance the desired result of a clear balance-sheet."

And then the Secretary of State for India adverted to the Madras irrigation and to the Orissa irrigation schemes, to which he had already called attention, describing them as awful failures. Now, he (Mr. Smollett) contended that these were strange admissions coming from the lips of a statesman who candidly confessed that for some eight years he had lived under the delusion that all irrigation projects in the East yielded immense returns in cash. He accepted them as genuine and truthful confessions, because during a long experience of public life in India he (Mr. Smollett) had never found a single official who, having spent large sums of money, ever admitted that he had been at fault, but these men went on spending and spending, blundering and blundering, to the bitter end. He would now proceed to speak on the second point of his Resolution—the way in which the public accounts were manufactured. The two separate accounts of ordinary and extraordinary expenditure were practically very mischievous, and he would show why. He had a seat in the House some years ago—in point of fact, he had sat in the House of Commons continuously from 1859 to 1869. During that period he listened with great attention to the debates on Indian Budgets, and he never remembered to have heard a suggestion made, or a hint given, that it was a desirable thing to carry a large sum of the expenditure in each year to capital account until the year 1866. The year 1866 was a remarkable year in political life. The Session of 1866 was the first Session of a new Parliament elected in 1865. Parliament was led in the Upper House by Lord Russell, and in the Lower by the right hon. Gentleman the Member for Greenwich. They had a majority of 70 or 80; but the Cabinet fell to pieces in the first year of their management through the intrigues of a set of banditti who had a rendezvous in the Cave of Adullam. A new Administration was formed in the middle of the Session—the month of May; it was a makeshift Administration, for the Conservative Party had no majority in the House of Commons. At the head of it was the late Earl of Derby, and the management of Indian finance was confided to a noble Lord who sat in the House of Commons by the courtesy title of Cranborne, which had since blossomed into a Marquessate. Lord Cranborne was now the illustrious Marquess of Salisbury. Lord Cranborne, called upon at very short notice to bring forward the Indian financial statement in 1866, performed his task with great ability. In a remarkably lucid speech he described the sources from which the Indian revenue was derived, and which amounted at that time to about £47,000,000 or £48,000,000. The noble Viscount showed in an equally clear manner how the sum of £48,000,000 was spent. The amount spent on irrigation and other ordinary and extraordinary public works was then about £5,250,000. Now, Indian finance in 1866 was in a much more satisfactory position than it was in 1876; for although there was not in 1866 an assured surplus, there was at least an apparent equilibrium of income and expenditure. At that time, too, every outlay was charged to the current revenue—nothing was hidden, no large disbursements were carried to capital account. Lord Cranborne, however, did not think that this condition of affairs was satisfactory. He yearned for a great surplus, and blamed the Finance Minister in Calcutta, Mr. Massey, for sailing too near the wind in his Estimates. Lord Cranborne painted the finances of India as under a cloud, but the cloud had a silver lining, for his Lordship said he saw his way to a large surplus, not by putting on any further taxation, or enforcing a rigid economy. Setting aside these ordinary expedients for restoring the finances of a kingdom, a happy thought had struck his Lordship. To obtain a handsome surplus Lord Cranborne said it was only necessary to carry to a suspense account £1,000,000 or £2,000,000 of the annual expenditure of £5,250,000 sterling charged to the Head of Public Works. Assuming this sum to be surplus income everything would have a look of prosperity. Present and future Indian Secretaries of State would no longer be required to parade a beggarly account of empty boxes before a Committee of the House of Commons. They should have money in both pockets applicable to the repeal of taxation or the reduction of the public debt. This was a very curious proposal; it was the germ of the system of Finance now in active operation in our Eastern Empire. Lord Cranborne, however, did not remain in office long enough to carry out this new method of putting an end to financial deficits; the noble Lord resigned his appointment in the month of February, 1867. He had no differences with his Colleagues upon Indian matters, but he would not be a party to the leap in the dark which the Cabinet had resolved to take in regard to Reform. The right hon. Baronet the present Chancellor of the Exchequer succeeded to the office of Secretary of State for India. They all knew that the present Chancellor of the Exchequer was a man of great moderation of opinion, an excellent financier, the incarnation of common sense in the matter of finance, without a spark of genius, and genius was a very perilous gift to a Finance Minister. The right hon. Gentleman, possessing these qualities, was the last person likely to adopt the random suggestions of his Predecessor—in point of fact, he put them quietly aside. In introducing the Indian Budgets of 1867-8 he said he could easily have made a prosperity speech, showing wonderful surplus balances, but to do so in 1867 he must have carried to capital account huge sums spent upon barracks, many of which fortunately tumbled down before they were occupied by the troops; while in 1868, to make a prosperity speech, he said he must have carried to capital account £5,000,000 or £6,000,000 spent upon irrigation or other works from which he did not see his way to any immediate return. The right hon. Gentleman said that, under these circumstances, he would tell the truth and shame the devil; and accordingly he was compelled to admit that large deficits of revenue had accrued in each of these years. He (Mr. Smollett) had already shown that in 1868 there was an excess of expenditure over income of more than £4,000,000. On turning to the veracious pages of *Hansard* he found that on the 27th July the right hon. Gentleman stated in reference to the suggestion which had been made to carry large sums in each year to capital account that he looked upon that proposal with the greatest possible jealousy. He said—

> "And I am bound to say that this distinction between public works ordinary and extraordinary is one which I view with extreme jealousy. I assent to the principle, as it was enforced by my noble Predecessor (the Marquess of Salisbury), and I have adopted it in my Budget Estimate. I entirely agree with the principle that it is a fair and right thing to provide for that class of public works which are of a reproductive character by raising money on loan. I think it may fairly be compared to the conduct of a landed proprietor who keeps his household expenditure properly within his income, but for real improvements on his estate calls in aid his credit and borrows the money which, in the course of time, the improvement itself will repay. That is a perfectly legitimate operation; but he will be open to the great temptation of transferring to this land account a portion of his ordinary expenditure, which ought to be met out of the year's income. He will be inclined to add a new wing to his house, or to put a new conservatory in his garden, and thus he may go on borrowing to a greater extent than he is aware, and yet all the while he may appear to be keeping a pleasant account at his bankers."—[3 *Hansard*, cxciii. 1844.]

Those were words of wisdom to which the successors of the right hon. Gentleman ought to have attended; they had been wasted upon the men who had recently swayed the financial destinies of India. That Empire had been going rapidly down on the road to ruin. The Government had expended and carried to capital account large sums which ought to have been charged to ordinary expenditure. Take, for example, the Orissa works. Since 1868, £2,500,000 had been spent upon this work, which had never yielded any return. Indeed, in one year there was a deficit of £23,000 upon working expenses. Every shilling of this £2,500,000 ought to have been charged to the ordinary expenditure of the years in which the outlays were made, for not one shilling of the capital spent would ever be recovered by the Indian Exchequer. The right hon. Gentleman (Sir Stafford Northcote) resigned office two or three months after he had made the speech to which he (Mr. Smollett) had referred, and he was succeeded by the Duke of Argyll. It was not his intention to criticize in detail the administration of this Statesman. It was sufficient for his purpose to say that His Grace the Duke of Argyll was apparently a sincere believer in the doctrine that surplus receipts could be got by borrowing money, carrying large sums in each year to capital account, and by taking good care not to account for the loans. Under the Duke of Argyll the downward progress of India financially was retarded, because in 1869-71 Lord Mayo was at the head of affairs, a man who would not be dictated to, who adhered to an honest policy, and who would not sanction the construction of any work if he had not surplus receipts in hand. When, however, Lord Mayo was struck down by the hand of an assassin on the Andaman Island, his policy was reversed, and during Lord Northbrook's administration India went rapidly down the road to ruin. He had in his hand a statement compiled from the Indian Revenue accounts, which showed that from the year 1867 to 1876 inclusive there had been carried to capital account the sum of £25,000,000, which must, to a very great extent, have been borrowed. During the same period the deficits amounted to £24,800,000, and deducting £1,800,000 of surplus when Lord Mayo was Viceroy, in the years 1870 and 1871, the excess of expenditure over revenue amounted to £23,000,000. That was a discreditable result in a time of profound peace, and who were responsible for it? Why, the Duke of Argyll, Lord Northbrook, and Lord Salisbury. But the most laughable thing remained to be told. During the whole of that period, while the administration was adding millions to the funded debt, India had been cajoled and this country deluded into the belief that there had been enormous surplus receipts, and that we had a glorious capital account fructifying at our bankers. That boast of a splendid balance was the topic of the day with official men. It served to bolster up a great delusion. Last year, when Lord Northbrook returned from India, he received great ovations from his political allies. At festive meetings in the Provinces much praise was given to him for the way in which he had administered the affairs of India, and his financial policy was lauded to the heavens. Now, it was that financial policy which he (Mr. Smollett) objected to and condemned, although he approved heartily of Lord Northbrook's general administration. The great merit, however, in popular belief of his Lordship's Viceroyalty was its financial successes. His friends declared these successes to be marvellous. In four years, they said, Lord Northbrook had placed £8,000,000 sterling of surplus revenue in the Indian Exchequer, a feat never before accomplished by any previous Viceroy. This, too, was the official belief. In his (Mr. Smollett's) opinion these statements were pure fudge. The surplus receipts were imaginary—some £14,000,000 sterling had been borrowed in the course of the last four years. Year after year the Under Secretary of State had told the House that the finances of India were in a most prosperous condition, for they were borrowing money at 4 per cent and getting 7 or 8 per cent for it. [Lord GEORGE HAMILTON: When did I say that?] Well, he would withdraw that statement so far as it concerned the noble Lord; but assertions of that nature were made out-of-doors by gentlemen closely connected with the Indian Office. At a meeting held in the Hall of the Society of Arts, on the 5th of May, 1876, Mr. Cassells, a member of the Indian Council, took the chair, and a paper was read by Mr. Thornton, by which it was endeavoured to be shown that from an expenditure of £17,000,000 during the last 20 years upon irrigation works, the Government of India now realized a return of from 7 to 8 per cent annually. In 1875 the noble Lord the Under Secretary stated that the idea that the Government of India was unable to pay its way was an utter delusion—the very reverse was the truth. The noble Lord said that there had been a continuous surplus Revenue amounting to £4,695,000 in the aggregate during the last seven years, and that but for the Famine the surplus would have been £11,000,000. Lord Salisbury used the same rosy tone. In fact, his Lordship took a more sanguine view of the receipts than the Under Secretary of State, for on the 14th of March last, in "another place," Lord Salisbury insisted that from the year 1871 to 1874 inclusive, there was a positive surplus of £8,571,500. Now, assuming these statements to be true—assuming that 7 per cent was received from the irrigation works, and that there had been a surplus of £2,225,000 for four years—he asked how it was possible to reconcile assertions like these with the official replies given from the India Office to the Lancashire manufacturers. Gentlemen from Manchester asked for a repeal of duties yielding £800,000 a year. The answer was, the impost could not be given up at present, because there was an excess of expenditure over income in each year. Yet in both Houses of Parliament the boast was made of large annual surplus receipts.

Both of these statements could not be true. He (Mr. Smollett) contended that the reply given to the petitioners for relief from taxation was the true one. It was clear that for the last four years there had been an excess of expenditure over income of about £4,000,000 sterling annually, and if the duty on cotton goods had been remitted, the deficit of Revenue would have been nearly £5,000,000 sterling per annum. He trusted that the House would no longer submit to be deluded by accounts framed as they now were, and would support the Resolution condemning the distinction made between ordinary and extraordinary expenditure. He trusted that there were men on his side of the House who had courage enough to do so. He desired to compel the rulers of India to return at once to the honest policy of Lord Mayo, which had been wholly departed from; and he hoped that the friends of that Nobleman who supported his administration while he lived and who lamented his sad death would unite to carry this Resolution. The late Earl of Mayo was the only Viceroy during the last 20 years who had had a real surplus Revenue, and he believed there never would be a legitimate surplus again unless the principles of policy which that Statesman had espoused during his life were rigidly adhered to by future Viceroys. In conclusion, the hon. Gentleman begged to move his Amendment.

Mr. MELLOR seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, viewing with alarm the financial deficits in our Indian Administration during the last ten years and the constant additions made to the debt of India during that period, is of opinion that no new public work should be undertaken which would necessitate the raising of fresh Loans either in India or in England; and that, in order to place the finances of India on a satisfactory basis, the distinction which is now made between Ordinary and Extraordinary Expenditure should be discontinued,"—(*Mr. Smollett,*)

—instead thereof.

Mr. C. B. DENISON said, he did not regret the criticisms that had been pronounced upon Indian finance by the Mover of the Motion under discussion or the Amendment which had been proposed, and of the hon. Members who had spoken upon the question; because, as a general rule, Party feeling was not allowed to interfere with the desire to ascertain the best manner of grappling with questions submitted for discussion in relation to Indian affairs. He had often impressed upon those responsible for the conduct of Indian finance the great danger of throwing the whole system into discord by the new-fangled system of mixing up the accounts relating to ordinary and extraordinary expenditure. At the same time, he could see no prospect of a Committee appointed in the present Session coming to a satisfactory decision, and he, therefore, found it impossible to support the Motion of the hon. Member for Hackney. He had sat on one Committee of that House which occupied three Sessions, and also on the Committee of 1874, appointed to inquire into the whole Indian accounts; and his opinion in favour of renewing that Committee was not such a strong one as to induce him to place much reliance on the result. He thought it would be better, under present circumstances, when the Government of India were struggling with a new famine, and with the consequences of the cyclone in Bengal, to take means to ascertain in what way the revenue and expenditure could be made to balance. It was quite impossible that the present state of things with regard to the finances of India could continue. The Duke of Argyll had initiated a policy which had led to the expenditure of £17,500,000, on the assumption that the public works would be remunerative; and therein lay the whole question. Unfortunately, every effort to make these works remunerative had signally failed, and he thought it high time that measures should be taken, both at home and in India, in order to go back to the state of things brought about by Lord Mayo during the short period of his Viceroyalty. The finances of India were in too grave and critical a state for a Committee to attempt to deal with them; and he would suggest that, inasmuch as an officer of high rank had been sent to India to inquire into the question of public works, and inasmuch as there would soon have been 20 years administration by the Crown, there should be an inquiry by a Royal Commission or otherwise, how that administration had been conducted; and he thought, therefore, it would be better to leave things as they were at present. He could not coincide with all the sweeping criticisms of his hon. Friend (Mr. Fawcett), though he believed that under them there lay a strong substratum of facts which it would be well for India that the Government should at no distant date attend to.

MR. ANDERSON observed that every argument used by the hon. Member for Cambridge (Mr. Smollett) and every statement he had made tended in the strongest way in favour of the Motion of the hon. Member for Hackney. The hon. Gentleman used very plain language; he had dealt out his blows right and left, his own friends coming in for the largest share of them; he repeated the phrase of "plundering and blundering," and talked about accounts being cooked; but the House could not accept such statements merely on the authority of the hon. Member. They needed inquiry to establish how far they were true, and how far they were not. Deputations had waited upon the Secretary for India, asking that the protective duties on cotton goods might be modified on the ground that they pressed grievously upon our manufacturing interest, and Lord Salisbury had informed them that while heartily participating in their views, he was unable to accede to their request in consequence of the financial position of India. But surely this sum of £800,000 per annum, which was raised by means of these protective duties, might be saved in some way or another, and thus enable this grievous burden to be taken off the shoulders of our manufacturers. The expenditure upon reproductive works appeared to be the key to the position of Indian finance. If such works were truly reproductive, and if they were executed with judgment, honesty, and economy, it was good policy to undertake them; but they would prove ruinous in opposite circumstances, and he was afraid that these works in India had been carried out without judgment, without economy, and he was afraid even without honesty. In all these circumstances he was of opinion that inquiry was necessary, and he should therefore give his voice in favour of the Motion of the hon. Member for Hackney.

MR. STEPHEN CAVE agreed with those who regarded this question as being a grave and an important one. It was quite true, as had been stated by the hon. Member for Hackney (Mr. Fawcett) in his very interesting and moderate speech, that the great pressure occasioned by the state of the finances of India was a source of political danger, and the only question was whether the remedy proposed by the hon. Member, that of inquiry by a Committee of that House, was a proper one to meet the evil he had pointed out, and the speech of the hon. Member himself and those of the other hon. Members who had supported his Motion rather proved the contrary. In his opinion, questions of this kind could be very much better discussed in debates in that House than in Committee. The fact was that the Members of Committees appointed to inquire into Indian subjects, instead of being kept within the limit of 15 fixed by a former Resolution of that House, had been increased to 30, and comprised all the hon. Members, whether speakers or listeners, who were usually present when such questions came before the House. Therefore, hon. Members might just as well discuss Indian matters in their places in the House instead of going upstairs to take what had been termed untrustworthy and unsatisfactory evidence. Those hon. Members who had spoken this evening had shown that besides having given considerable attention to details, they were capable of grasping the subject as a whole; and, therefore, they were not likely to derive much benefit from any information they would obtain by further inquiry by a Committee, the Reports of which were almost always a matter of compromise between men holding different ideas. A very interesting debate was had upon Indian affairs in 1871, and that, at all events, was not open to the objection mentioned by the hon. Member for Cambridge (Mr. Smollett), that these debates were always put off until near the 12th of August, because it was held on the 24th of February. In that year the Government, in compliance with the suggestion of the hon. Member for Hackney, proposed that a joint Committee of both Houses should sit to inquire into the matter. This, however, was not agreeable to the House, and, eventually, a Committee of the House of Commons alone was appointed; and that Committee when it sat was presided over by that very able gentleman, Mr. Ayrton, who did his work admirably, and who, though he had lost his seat in that House, had not lost his interest in the subject, having since then compiled one of the most valuable records in the shape of evidence and a digest that had ever resulted from the sitting of any Committee of the House. That Committee sat for three Sessions, and it made a series of very short but very important Reports. In 1872 and 1873 Indian questions were amply discussed in that House, many of them being those which were pending at the time before the Committee. Many Members who took part in those discussions were no longer there to assist their deliberations. Mr. Eastwick, Mr. Fowler, Mr. Dickinson, Mr. Magniac, Sir Charles Wingfield, Colonel Sykes, were no longer in the House, but others with perhaps equal knowledge had taken their places. The other Committee to which the hon. Member for Hackney had referred was one over which he (Mr. Cave) had unworthily presided, and its inquiries were much more limited in scope than had been those of the preceding one. It simply inquired into the charges payable in this country for which the revenues of India were liable: though certainly he had had much difficulty in preventing the inquiry running wide of the mark. The Report of that Committee did not err through want of liberality towards India. It laid down as wide a proposition in favour of India as ever a governing country laid down for a governed country—namely, that there should be no expenditure of Indian revenues except for the purposes of India. But payments for the Army and the Navy, where they were employed for Indian purposes and payments for public works in India, came fairly within the terms of that proposition. That Committee inquired, among other matters, into the way in which India was treated at home, and whether the India Office could hold its own against the other offices of State, and whether the India Office itself was sufficiently careful of Indian interests. At that time an inter-departmental Committee, which had been sitting for some time, was endeavouring to bring to issue certain disputed questions between the War Office on the one hand and the India Office on the other, but it had come to a dead-lock. Our Committee reported that although for some time matters had been very loosely conducted, they had then greatly improved. We further reported that the inter-departmental Committee ought to be strengthened by the adding to its members of the Departments an independent head, when it would then be better able not only to examine but to bring to a practical conclusion the questions that came before it. Some dissatisfaction was expressed as to the result of that Committee, it being stated that the War Office had been unduly favoured; but he was unable to express an opinion upon that point. He was ready to admit that the inquiry conducted by the Parliamentary Committee had been incomplete. The last resolution of that Committee was that it should be re-appointed the next Session for a very limited purpose indeed—namely, for the purpose of inquiring into the expenditure in this country on public works in India into Home charges unconnected with military expenditure. That was not his Resolution, and he confessed that he would rather it had not been passed, because he thought that ample information on this point was contained in the evidence before Mr. Ayrton's Committee; but, of course, he was bound by that Resolution. He doubted very much the utility of appointing a Committee for the purpose of inquiring into the general question. The fact that various subjects of inquiry had been proposed in the course of this debate showed that the House ought to be extremely careful about the appointment of any Committee; otherwise they would be involved in a general inquiry on such questions, as whether the transfer of the Government of India from the East India Company to the Imperial Government was an advantageous thing, for the hon. Member for Kirkcaldy (Sir George Campbell) went as far as that. That hon. Gentleman wished an inquiry into the relations of the Governor General and the Secretary of State and the unwillingness of statesmen in this country to go to India as Finance Ministers or as Governor Generals. [Sir GEORGE CAMPBELL said, he only used those questions as arguments.] But that was next door to inquiring into those questions. At any rate, that showed what was in the hon. Member's mind at the time. [Sir GEORGE CAMPBELL said, he only referred to those matters for the purpose of showing how widely the Members who had spoken differed.] Just so; that was exactly his own meaning. The hon. Member for Cambridge (Mr. Smollett) wished for no inquiry; but he wished the House to affirm principles, which were no doubt good to a certain extent, but could not be carried to the extent to which he wished them to be carried. You could not state a capital and revenue account of a country like that of a firm. The whole country was the capital, but when works were carried on by special loans, then no doubt Returns should show that the money which had been borrowed had been spent on those objects for which it was borrowed. He agreed that money should not be diverted from the objects for which it was borrowed, and if, as alleged, this had been done, in should be noticed and exposed. At the same time, he thought it was going too far to say that extraordinary public works were unproductive because they did not produce a revenue. It was well known from the evidence of the Committee which sat on the subject that the value of land, the value of produce, the rate of wages, and a great many other things had risen enormously in those parts of the country in which public works had been constructed. But it was quite true that it required the greatest possible care to prevent these things being done too rapidly, and, especially, to prevent their being wastefully done. Lord Salisbury stated his opinion before the Committee—that the true safeguard of India was the watchfulness of the House of Commons. He would rather see that watchfulness show itself in debates on all these questions than see them shelved, he might say, in the Blue Books of Committees. Still, he admitted that any objection that might be raised with regard to the way in which expenditure on those works was carried on, and especially as to the charges payable in this country might be a legitimate object of inquiry, as the Committee which sat on this subject pronounced it to be, and, as he had before said, he, for one, was bound by the resolution of that Committee, and could not go back from it. The inquiry ought most certainly to be limited to that, for if there was one thing wanted in India more than another it was the strong hand of government. There could not be a worse thing than appearance of divided counsel. Such a division would surely be exaggerated in India, and especially in the Native Press. With regard to inviting Natives to come to this country and give evidence in the House on any grievances, he must say he thought that was a proceeding which ought to be most carefully guarded against. There would be no lack of such witnesses, and the Committee would either excite false hopes, or be accused of shelving the question. He admitted the pressure, he admitted the danger; but, for reasons already mentioned, he viewed with alarm the re-opening of an inquiry before a Committee. The speeches he had heard that night confirmed him in his opinion that the fittest place for discussing Indian questions was the floor of the House of Commons.

GENERAL SIR GEORGE BALFOUR supported the Motion. He thought it would be a wise and proper course, especially at the present time, to appoint a Committee to inquire into the subject of Indian finance. Considering the position of Eastern affairs at this moment, it was necessary that we should show the world that India was governed not only on generally right principles, but with a prudent regard to her financial resources. Turkey's present condition was a striking illustration of the evils arising from an unsound system of finance; because it was mainly owing to the successive borrowings which we had permitted her to indulge in since the Crimean War that she had fallen into so disordered a state. Much of the oppression now and recently existing in Turkey was due to the necessity of raising money from the impoverished people to cover the interest on these constant loans. No doubt the wasteful extravagance of the Sultan in building palaces and laying in stocks of guns and arms as well as warlike machinery must also have increased largely the financial pressure. We ought to take warning from her deplorable experience and avoid the like system we were following in the case of India. Since 1857 hardly a year had passed without our raising money by loan on account of India, whose Debt within the last 20 years had more than doubled. He did not say that they ought under no circumstances whatever to borrow for Indian purposes; but he maintained that some limit should be laid down in respect to the contraction of such debt; and he had, therefore, hoped that the Government would have been only too glad to allow the House of Commons to appoint a Select Committee to investigate the state of the finances of India both as regarded the Indian and the Home Charges. As to the doubts expressed about there being no danger of Russian interference with our great Dependency, he might mention that her interference had led to the largest amount of Debt which India had contracted in the present century; and as long as Russia might approach to the borders of our Empire he maintained that the experience of the past showed that great commotions must be expected there unless we proved by good administration that our Government was more worthy of ruling over that part of the East than was Russia. In the event of these commotions arising it would be impossible to garrison India with our present Forces, and it would be necessary to increase the European and Native Armies at a cost of £10,000,000 or £12,000,000. Either the finances of England must bear a portion of this expenditure, or additional taxation must be imposed on India, which would be attended with the greatest danger. Our powers of taxation in India had been restricted by our own acts. And as we had not derived all the advantage we ought to have done from the land tax, we had been obliged to resort to other taxes, such as the income tax; and we had largely increased the salt tax, until in a few years we had quadrupled it in Madras, and raised inordinately the price of a condiment so necessary to the poorest classes of the population living mainly on a vegetable diet. In support of the demand for inquiry he urged that the Members of the House required, for the discharge of their duties, fuller information than they now possessed on many points of importance. The Home military expenditure of India was believed to be far beyond what was necessary for the maintenance of the garrison, and a burden was thereby thrown upon India from which she ought to be relieved. The provision and the maintenance of vessels for the transport of troops appeared enormous. About £4,000,000 had been spent in the annual maintenance of these costly vessels, and year by year these charges would increase. Now, considering the use that might be made of the excellent and efficient mercantile fleet engaged in the India trade it was a blunder to retain these vessels; there were no more costly white elephants than these transports. The extraordinary Budgets interfered with any real check on expenditure, and it became a question how to alter the form in which the accounts were made up so as to remove all inducements and opportunities to cook them. It was also desirable to ascertain how, most easily to introduce a system of audit that would show whether all the liabilities of a year were or were not charged within that year, which at present was entirely wanting. With regard to the point as to irrigation works raised by the hon. Member for Cambridge (Mr. Smollett), he (Sir George Balfour) quite admitted that great mistakes had been made; and here, again, Parliamentary inquiry was required to ascertain why the vast expenditure incurred had not produced such satisfactory results as had been expected. But that inquiry would bring to prominent view the immense benefit to the Madras Presidency from the money spent on irrigation works. The labours and good services of Sir Arthur Cotton would then be fully known and appreciated. But it was not necessary to go to India to find such a state of things in connection with public works. An official Return, which would shortly be in the hands of Members, showed that on harbours in this country there had been an unprofitable expenditure which would probably surprise hon. Members. In spite of the failures, however, it must be admitted by the hon. Member for Cambridge, himself, that there had been a most marked improvement brought about by the irrigation works of the Madras Presidency. That hon. Gentleman was Secretary of the Board of Revenue of that Presidency in 1833, when a dreadful famine visited the country, and no doubt he was aware that districts which suffered severely then, but which had since had the advantage of irrigation, were comparatively free from the distress which at present prevailed.

Mr. SMOLLETT: I had nothing to do with the Board of Revenue at that time. I was assistant in the Chief Secretary's office.

GENERAL SIR GEORGE BALFOUR maintained that the endeavour to guard against periodical droughts by means of irrigation works had been a very proper experiment, and he hoped that, profiting as much as possible by the mistakes of the past, Government would continue the attempt to store up water into the arid parts of India. He believed it could be done at a general cost of £2 for every acre irrigated. It was lamentable that famines should occur in districts where there were rivers full of water now running in a great degree into the sea, and affording an abundant supply of water which might be used to fertilize the soil. As to the administration of the Public Works Department, it had always appeared to him that the object Government had had in view had been merely to spend money, not to employ it to the greatest advantage; and that the failures in works of all kinds had been more due to faulty administration than to defects on the part of Government in deciding on the necessity of the work. One radical mistake was that minute supervision of the works had not been left to the local authorities, who were most interested in seeing that the money was properly laid out. That control was mainly centralized in Calcutta. He had never been able to realize the propriety of establishing an Engineering College in this country, on which they had already spent in one way or another £250,000 sterling. He very much doubted whether the experience and training which the pupils got here would supply a sufficient number of qualified engineers, and it was certainly a point that required full investigation. Another matter, which he thought might very properly be made the subject of inquiry, was that of the customs duties in India. There were now about 300 articles upon which import duty was chargeable, and he contended that all but three or four could be given up without any appreciable sacrifice of Revenue. The hon and gallant Gentleman concluded by referring to the system of military expenditure at home in connection with India, as well as to the outlay on military organization in that country as subjects which demanded inquiry. It was fully expected that the inquiry of 1874 would have been continued, but not only had that been set aside, but even information asked for in respect to the heavy demands on India for military expenses at home had been refused. He hoped the House would insist on the necessity of also completing those investigations into other questions which still remained unfinished. So far from any evil resulting from such inquiries the people of India would be glad to find that their affairs were being regarded with a watchful eye by the representatives of the English nation.

MR. ONSLOW mentioned the names of Lord Elgin and Lord Mayo, as a refutation of the statement which had been made that as good Viceroys could not be got now as formerly. The name of Lord Mayo would descend to the people of India and be as much prized as the names of Canning and Dalhousie. The hon. Member for Kirkcaldy (Sir George Campbell) was mistaken in supposing that the Viceroys of India procured the appointments of their own Finance Ministers, who were appointed by the Secretary of State in Council after mature consideration. As to the proposed Committee of Inquiry, he thought that after the experience of the Committee of 1871, which had sat for three consecutive Sessions, and taking into account the numerous subjects which were spoken of that evening as demanding investigation, it would be idle to expect that the labours of such a Committee would be concluded in the lifetime of any human being now in existence. He was, at the same time, of opinion that the question of Public Works Ordinary and Public Works Extraordinary in India and the division between them was one well deserving of consideration, for when the state of Indian finance was borne in mind it seemed to him to be somewhat appalling that the country should have been called upon to bear the enormous additional burden of £50,000,000 for irrigation works. A great portion of the money so laid out had, he was afraid, been expended in a very hasty way and on objects which had not been thoroughly considered. The fact was we had, he was afraid, too many irons in the fire in India, where, he contended, the true policy was to proceed gradually, so that so great a strain might not be put on her resources as in former years. As to such an inquiry as that which was suggested, however, by the hon. Member for Hackney (Mr. Fawcett), he saw no chance of its being productive of any practical good, for every diminution of expenditure which could be made had already been advocated and every increase of taxation which was possible devised. It was a very difficult thing to tax the people of India, who might be said to live from hand to mouth, and he believed the taxation at present was about as great as they could bear. As far as the Army was concerned, it might be taken as certain that if the Government reduced the expenditure they would be obliged to reduce the number of men; and the question, therefore, was one for the War Office and the Secretary of State for India to decide, and not for the House of Commons to express any opinion on. Such a subject, therefore, could not with advantage be referred to a Committee such as was proposed. There was another consideration to be borne in mind. India was a country subject not only to the ordinary fluctuations of finance, but also in a peculiar degree to famines, cyclones, little wars, inundations, &c., and it would be impossible for a Committee to lay down any general rules for the guidance of the Viceroy in the case of any of those calamities. Moreover, even although the appointment of a Committee was desirable on general grounds, it would be somewhat inopportune at the present moment. Lord Lytton had not been long enough in India to have gained a thorough knowledge of the country, and the Finance Minister (Sir John Strachey) had only been recently appointed; so that the action of the Committee would probably fetter their hands to an undue extent. He hoped, therefore, the Government would not accede to the appointment of the Committee now asked for, but that they would see their way to grant a Committee for the investigation of the expenditure in connection with Public Works, Ordinary and Extraordinary.

Mr. DUNBAR said, he did not regard the proposal to appoint the Committee as at all inopportune. On the contrary, the appointment of a new Viceroy and a new Finance Minister rendered the proposed investigation desirable, more especially as the latter was not a man of the highest financial experience. Any attempt to discuss intricate Indian questions in that House without the information which the Committee could supply would be hopeless. The only result would be that a few Members would come down, and he counted out in half-an-hour. On every ground the best course was to refer such questions to the Committee, and thereby show the people of India that Parliament was alive to its duties. It was now some years since the Finance Committee was appointed, and in the interval there had been two famines and a cyclone, and the Debt of India had been enormously increased. Surely, if an inquiry was necessary then, it was much more necessary now.

Mr. FORSYTH said, there were many questions in connection with India which would be much better discussed by a Committee of Gentlemen conversant with those subjects than by the House of Commons; and he thought his hon. Friend the Member for Hackney (Mr. Fawcett) had made out a strong case in support of his Motion, from the fact that the House some years ago had appointed a Committee, and that at that time the appointment was supported by several Members of the present Government. Every reason which had been urged in the course of the present discussion against a Committee being appointed now might with equal force have been urged when the Committee to which he referred was agreed to years ago. It had been contented that the Motion of the hon. Member for Hackney should not be adopted, because the Committee which he contemplated could not report during the present Session of Parliament. But why should it do so? What harm would there be if the Committee extended its labours over two Sessions? The Committee which had been formerly appointed sat for three Sessions, and yet a Resolution had been unanimously passed by the Members who composed it that it should continue its labours to future years. He could not support the Amendment of the hon. Member for Cambridge (Mr. Smollett), because it went too far, asking the House, as it did, to affirm a Resolution to the effect that no more money should in future be borrowed to be spent on public works in India. How could the House, with the limited information they possessed, adopt such a Resolution? The real reason which led him to give an implied support to the Motion of the hon. Member for Hackney was the inefficient manner in which

Indian affairs were dealt with in that House. He remembered seeing the Indian Budget brought forward at the close of last Session in a House consisting of 16 Members, and the present was the first time in his recollection when the subject of Indian finance was discussed at the commencement of a Session. He could not agree with his right hon. Friend the Member for Shoreham (Mr. Stephen Cave), that Indian subjects could be better discussed in that House than in a Committee. Upon every ground he thought the House should accept the Motion. No possible harm could be done by the appointment of a Committee, and he feared that, if the House peremptorily refused to make an appointment which would result in an inquiry into Indian finances—a matter of inconceivable importance to the millions in our great Eastern Dependency—the people of India would think that in a matter so deeply affecting their prosperity, the House of Commons were more than indifferent to their welfare.

LORD GEORGE HAMILTON said, no one could have heard the speech with which the hon. Member for Hackney (Mr. Fawcett) opened the debate without admitting that the hon. Member had been singularly fair, and that his argument was a very able one. The hon. Member had stated his case very clearly, and, undoubtedly, if circumstances had had not changed between 1871 and 1877 that case would have been a very strong one. While he differed from the hon. Gentleman on many of the views he had expressed with reference to Indian finance, he admitted that the hon. Member showed a sympathy with Indian matters and Indian affairs which he could wish many more hon. Gentlemen would emulate, for though he might be obliged to oppose many of the Motions made by the hon. Gentleman, yet opposition would be preferable to apathy. The subject which the House had now to consider was not merely the proposed appointment of a Committee, but the question of what good such an appointment would effect. As practical people, what they had to consider was whether the Committee would be likely to lead to an alteration and improvement in any of the many subjects which had been alluded to by many of the speakers during the debate. The hon. Member stated exactly the circumstances in which the Committee of 1871 was appointed. That Committee was an experiment—he did not think it was a very successful experiment. It sat for three years and did not report. It accumulated, no doubt, an enormous amount of evidence; but there was one very significant fact which had not been stated—the Committee when appointed consisted of 21 Members, and the quorum was seven. It was increased to 30 Members, and it was found necessary to reduce the quorum to five. That fact showed that the great bulk of the Members of the Committee either felt that the reference was so large, or the inquiries pushed by individual Members were so irrelevant, that it was not worth their while to continue their attendance. He had no doubt it was due to the large scope of the inquiry that it sat for three years and did not report. The hon. Member for Hackney correctly stated that the Committee referred to came to the conclusion at the end of 1873 that Natives of India should be examined as witnesses; and he went on to insinuate that because they had not been called, they had been shunted by a side wind, which was an unworthy and ungenerous device. There was, however, no ground for such an insinuation. The only side wind which had been at work at the time was a Dissolution of Parliament, which brought the Committee to a close. The first duty which devolved upon him as Under Secretary in the ensuing Session was to ascertain from several Members of the Committee who had been re-elected what their views on the subject were; and he was shortly afterwards asked by the hon. Member for Tynemouth (Mr. T. E. Smith) whether it was the intention of Her Majesty's Government to move for the re-appointment of the Committee? Replying to the Question he said that—

> "The Committee had sat three years, and was composed of 31 Members. Of these 31 Members three had, owing to recent Ministerial changes, accepted posts which would not enable them to give their personal attendance on the Committee, even assuming that it was possible to re-appoint it. Of the remaining 28 no fewer than 13 had unfortunately lost their seats at the General Election, among them being the well-known names of Mr. Ayrton, the Chairman of the former Committee, Mr. Fawcett (who had since fortunately been re-elected), Mr. Eastwick, Mr. Crawford, and Sir Charles Wingfield. Under those circumstances it was not possible for the Government to re-appoint a Committee, a large

number of whose Members were no longer Members of the House. At the same time, it was under the consideration of Her Majesty' Government whether or not it would be advisable to appoint a smaller Committee with a more limited reference, directing their attention to definite and tangible points connected with East Indian finance."—[3 *Hansard*, ccxviii. 337.]

Well, later on, he moved for the appointment of such smaller Committee, and that Committee sat for a year and made a Report. It was perfectly true that at the end of their Report the Members of this Committee suggested that they should be re-appointed, and, if he recollected aright, that suggestion was made on the Motion of the hon. Member for Hackney. It was perfectly true that Committee was not re-appointed; and as he had moved for its appointment, he was quite ready to take the responsibility of not moving for its re-appointment. He did not do so, for the simple reason that there was nothing further of a practical nature for the Committee to inquire into. That he was prepared to show from their own Report. According to their Report, they divided the Indian Charges payable in this country into two heads—the first dealt with wide and somewhat speculative questions of policy, the next with matters of detailed account. As to the second, there was nothing further to inquire into; and could anything have been more absurd than to have re-appointed 21 hon. Members to inquire into and report upon matters which dealt with wide and somewhat speculative questions of policy? He was ready to admit that it appeared inconsistent to refuse to re-appoint the Committee after its Members had been once appointed, and after the suggestion of the Report had been made that they should be appointed again; but, on the other hand, he believed it to be far better to have left himself open to the charge of inconsistency than to have re-opened an inquiry which could not have led to any practical result. But the Committee had sat for a year and inquired into military charges which were payable in this country; and what was the result of that inquiry? The Committee suggested the re-appointment of a departmental Committee, as they found it impossible to go into the enormous mass of details which the question in dispute between the War Office and the India Office involved. An inter-departmental Committee was then appointed, with Mr. Bouverie as Chairman, who made a Report, and at that moment he (Lord George Hamilton) was Chairman of a Committee to consider that Report. Therefore, the only result of the Report of the Select Committee was that, on its recommendation, an inter-departmental Committee was appointed whose Report was now under the consideration of a departmental Committee. That was really a strong practical objection to the appointment of a Committee, as the process seemed interminable before they could arrive at any definite conclusion. The great object of the appointment of the second Committee was, if possible, to limit the Order of Reference, because the Notice put on the Paper was so wide that it was impossible for any Committee of that House to arrive at a conclusion. Whatever objections he might have had to the appointment of that smaller Committee with a more limited reference had been immensely strengthened by the hon. Member for Hackney, because he said, "Only give me that smaller Committee, and there is not a question on Indian finance upon which I shall not be able to inquire." What the Government did not want was a roving Committee, inquiring here and there and doing no good; but if they had a definite Committee, they could refer definite points to them, in order to arrive at a definite conclusion. Then the hon. Gentleman said that in the next Session he (Lord George Hamilton) moved, not the re-appointment of this Committee, but the appointment of a Committee to inquire into the grievances of certain Indian officers, and the hon. Member insinuated that he had been almost too conciliatory in consenting to serve upon it. He did not think the hon. Member agreed to serve on that Committee from any excessive display of conciliation, but rather from an uneasy conscience, because the Committee had to deal with a question which had been taken out of the control of the Secretary of State for India by the House of Commons. In 1866 Lord Salisbury had to deal with certain grievances of the officers of the Indian Army. He made certain suggestions and proposals which were carried into effect. In 1870, however, Colonel Sykes upset that arrangement. The Government of that day opposed the proposal of Colonel

Sykes, but they were beaten, and among the hon. Members who voted against the Government and upset Lord Salisbury's arrangement was the hon. Member for Hackney. The Government had to send to India for information, and when it was received at the India Office, it was found that the Resolution of the House was recorded against the Secretary of State for India. The Government had all the information to enable the India Office to act upon the Resolution, and therefore Lord Salisbury authorized him to move for a Select Committee, on the understanding that, as the House of Commons had passed a Resolution upsetting his more economical arrangement, on that House must rest the responsibility of agreeing to a final settlement with those officers. The hon. Member for Hackney was asked to serve on that Committee, and he (Lord George Hamilton) admitted that the hon. Member readily served and performed his duty well. The hon. Gentleman said that the finances of India were in such a state that they could not meet any exceptional expenditure, but that it had to be met by a loan. The hon. Member had been erroneously informed. The hon. Member for Cambridge (Mr. Smollett), who had moved an Amendment, spoke and indulged in a great amount of strong language, and he showered his epithets right and left. In those which he particularly applied to him (Lord George Hamilton) he charged him with being incomprehensible and repulsive; but in the statement which he made concerning the Under Secretaries of State, and which he must notice, the hon. Member said—"We manœuvre with great success in order to postpone the Indian Budget." That was a statement which, as far as he was concerned, was devoid of the least shadow of foundation. The hon. Member for Cambridge used a great deal more strong language, which he did not think it was necessary for him to notice, except in one particular point, and that was that the officers, as he understood him, of the Public Works Department in India deliberately cooked their accounts. [Mr. SMOLLETT: Hear, hear!] He would state as deliberately that that was a statement which no Member of the House should make. They might indulge in strong language towards each other, because they all knew what it meant—that it meant nothing. The hon. Member for Cambridge could not, however, express himself otherwise than in strong language, but it was a very different thing when language of that kind was applied to English gentlemen serving thousands of miles away from their native land. They were naturally very sensitive as to what was said in this House, and it was neither proper nor becoming for a Member of the House to accuse all the officers of a large Department of the Indian Government of deliberately cooking their accounts. Whatever orders those officers received they acted on them, and he was certain that there was not the slightest intention on the part of the officers of the Public Works Department to lay garbled accounts before Parliament. As to what was said of himself personally, he did not care; but he spoke warmly on the subject, because it was his duty, as representing a Department, to reply—in the name of those who had no power to reply—to statements made in that House which he doubted would be made outside its walls. The hon. Member for Cambridge had also accused him of not understanding the various financial subjects he had to deal with; but he was afraid before he sat down he should have to convince the hon. Member that the hon. Member did not understand the A B C of the system which he attacked. He would, however, first refer to the subjects alluded to by other speakers. There was an evident impression on the part of the House that the Indian Government had great difficulty in balancing their ordinary Revenue and Expenditure; that they were in the habit of rushing into the Money Market on every occasion of difficulty; and that in consequence of the expenditure increasing in a greater ratio than the income the Indian Government was rapidly approaching a state of insolvency. He would first take the Ordinary Indian Expenditure, next the Extraordinary Expenditure, and lastly he would deal with the Home Charges. If hon. Members wanted to know the position of Indian finance now and what it was 16 or 18 years ago, they had nothing to do but to read the powerful and lucid statement of the late Mr. Wilson, who was sent out in 1860 to take charge of the finances of India. When he arrived in India he was obliged to estimate for a deficit for the past three years of £30,500,000. He proposed to put on additional taxation and reduce expenditure, but he was actually obliged to estimate for a deficit of £6,500,000. When he looked back upon the past, therefore, he found it to be much more gloomy than the present. He had heard favourable views expressed as to the management of the finances of India by the Court of Directors. But let the House look to the Returns from 1814 to 1860—a period of 46 financial years. The surplus in 13 years alone amounted to £8,895,437, and there was a deficit in 33 years of £72,195,416, and that was the condition of Indian finance when India was handed over to the British Crown. The Debt was, however, no doubt much smaller. During the three years—namely, 1857, 1858, and 1859—there was a deficit of £30,500,000 to be made up by loan in consequence of the Mutiny. All that excessive expenditure of £72,000,000 was unremunerative outlay for the purpose of meeting the deficits of succeeding years, or for war purposes, or perhaps for both. The position of Mr. Wilson was such as to lead any ordinary mortal to despair, but he so admirably estimated the finances that in a few years great changes occurred. He had great difficulties to contend with. He had an enormous Army expenditure to meet. Owing to the Mutiny in India there was an increase of 45,000 European troops. In addition, barracks had to be provided for the men, and this entailed an enormous and immediate expenditure on the Indian Government. Nor was Mr. Wilson able to make any corresponding reductions in the expenditure in the Indian Army, because the Government were bound to give the officers their pay, allowance, and pensions, whether they were employed or not. Whatever opinion that House might have of the East India Company, they did little more than maintain peace and collect revenue. When India was transferred to the Government of the Crown it was necessary to think of improving the condition of the people by promoting education and doing other things which in this country were undertaken by local authorities, in the absence of whom in India they devolved upon the Central Government. In 1860 and 1861 the financial revenue amounted to £42,900,000, and the expenditure to £46,900,000, leaving a deficit of £4,000,000. In 1875-6 the revenue was £51,300,000, and the expenditure £49,600,000, showing a surplus of £1,700,000. [Mr. Fawcett: That does not include Extraordinary Expenditure.] Certainly not; and unless you kept Ordinary distinct from Extraordinary Expenditure you could never understand the financial position of India. It was because he confused capital and revenue accounts that the hon. Member for Hackney (Mr. Fawcett) arrived at the conclusions he did. The great increase in the Revenue of India had not been the result of increase in the taxation. The income tax, which brought in £2,000,000, had been abolished, Customs duties had been diminished, and only the salt duty had been raised. The income tax affected only that class in India which was at present the least taxed of all—namely the well-to-do Natives. He did not blame Lord Northbrook for what he did. He was subjected to great pressure from the Home Government; but in looking back impartially upon what had occurred all must agree that the abolition of the income tax was a mistake. There had been a great increase in the trade of India. In 1860 it amounted to £63,000,000, and in 1875-6 it amounted to £104,000,000, conclusively proving that India was not excessively taxed, or it would have been impossible for the trade to have increased to such an extent if taxation had been of the nature described. The impression had been conveyed that the Government were in the habit of borrowing money to meet deficits caused by the excess of Ordinary Expenditure over Ordinary Revenue, but from 1860-1 to 1875-6 there had been surpluses as well as deficits; and notwithstanding exceptional expenditure, and including the first year when Mr. Wilson had to borrow £5,000,000, the surpluses exceeded the deficits by £793,000. From 1860 to 1875-6 not 6*d*. had been borrowed to meet the ordinary expenditure of the year, and yet the revenue had borne a number of new charges which were formerly charged to capital and raised by loans. From 1869-70 to 1875-6 the surplus of ordinary revenue over ordinary expenditure, including all kinds of expenditure, had amounted to £6,600,000, and, excluding famine expenditure, to £13,000,000. In ordinary years the surplus of ordinary revenue over ordinary expenditure might be estimated at £2,000,000. He did not say that according to the Budget Estimates that would appear, because the Government were very cautious in framing those Estimates; but, if hon. Members looked at the accounts they would find that was the result. Now we had to deal with two great disasters in the current financial year — a heavy fall in silver involving the loss of about £2,000,000, and the serious famine in Madras and Bombay. If there had been no famine, there would have been no deficit in consequence of the loss upon silver; but there would be a deficit on the present year, because of the famine. The finances of no country could stand such a drain as was put upon them by these disasters; and if they were to be anticipated by ordinary taxation, it would be heavier than was necessary for carrying on the government. He hoped, therefore, the House would get rid of the illusion that the Indian Government were unable to make both ends meet when a famine occurred, and were obliged to borrow, when the fact was that since the year when Mr. Wilson took charge of the finances every famine had been met out of the ordinary revenue, and yet there was a surplus. He would next refer to the extraordinary works. When Mr. Wilson went out, two classes of works were necessary—namely, unproductive works, such as barracks and civil buildings, which were chargeable to revenue, and reproductive works, such as irrigation canals and railways, which were necessarily undertaken by private companies with a Government guarantee, because there was no prospect of profit without such guarantee. The question at that time was whether everything was to be allowed to stand still or whether it was worth the while of the Government to undertake the works in order to develop the material prosperity of the country; and, on mature consideration, it was concluded that it was better to make the necessary guarantee an annual charge against revenue. The direct results did not adequately represent the advantages of such works, which were indirectly enormous, greatly increasing the strength of our military force, economizing administration, and increasing the wealth which was subject to taxation. In 1869 Lord Lawrence wrote an elaborate Minute, pointing out the enormous advantages that had accrued from the construction of railways, but pointing out that they had been constructed on an expensive system. The guarantee of 5 per cent had not secured economy in either construction or management. Lord Lawrence, therefore, suggested that the Government should undertake the construction of irrigation works and railways, and the principle then adopted was extended by Lord Mayo and Lord Northbrook. The only reason why there was apparently an annual deficit now was, that the whole of the annual expenditure upon the construction of irrigation works and railways was now charged against revenue, whereas formerly it was not shown as such a charge. He could not help smiling when the hon. Member for Cambridge found satisfaction in referring to certain years in which he said there was a surplus which was no sham, for, when account was taken of the guarantees at 5 per cent there was a deficit of £7,000,000, and, in later years, when he assumed there was a deficit, the whole amount of the sums expended upon these works was charged against revenue, although only a portion of that sum was borrowed not as formerly at 5 per cent, but at 4 per cent. It was in consequence of the extravagant system of guaranteeing companies that the Government of India undertook to construct their own works. They estimated the amount they might expend annually, but it formed no additional charge on the revenue of India, because there was an increased return on the older works, which would compensate for the works under construction for which money was borrowed. That was the principle on which the Government of India proceeded. There was a two-fold process going on. The annual loss on railways and irrigation works was decreasing, while the mileage and amount of irrigated land were annually increasing. It was further assumed that these works would be constructed out of borrowed capital; but the fact was that a considerable portion of them were paid for out of revenue. If the estimates and figures were correct, there could not be the slightest doubt that India was not rapidly approaching a state of insolvency. It was in consequence of the adoption of a certain form of accounts that the hon. Members for Cambridge and Hackney had placed before the House their gloomy views with regard to Indian finance. He was willing to admit that in the construction of these works there was an amount of risk; because the outlay was certain and the profit uncertain, and, therefore, they ought to be very careful; but he said unhesitatingly that the accounts for the last two years had turned out far better than the estimates for Public Works, and upon the whole the House could not complain of the state of the finances of India. Looking to the Revenue side of the account there would appear a deficit, but that was not what in England would be so called, any more than an expenditure by a railway company out of capital. On the other side they would see how that deficit was caused by the expenditure on Public Works Extraordinary added to the ordinary expenditure of the year. The Finance Minister of India kept his accounts in a different manner from the financial accounts of England. He had first to provide for the whole ordinary expenditure of the year out of the ordinary revenue. The actual account turned out better than the estimate, and this surplus, which in England would be a balance applicable to the reduction of Debt, was in India put into Public Works Extraordinary. The Public Works Extraordinary were provided for first from the surplus of the preceding year, and next by loan; the whole interest of the loan being included in the interest as Funded and Unfunded Debt, and charged on the year. The Indian Government had adopted a system of accounts which was too honest; for the system led most persons to put an interpretation upon the accounts which was not strictly accurate. Last year he stated that during five years no less than between £17,000,000 and £18,000,000 had been spent, and only £14,700,000 borrowed. The balance was made up of the difference between ordinary revenue and expenditure. Would any hon. Member support such a Resolution as that proposed by the hon. Member for Cambridge if it applied to a railway company? Substituting the two words, "Railway Companies" for "Indian administration" and "Revenue and Capital Accounts" for "Ordinary and Extraordinary Expenditure," how would the Resolution read?—

> "That this House, viewing with alarm the financial deficits of Railway Companies during the last ten years, and the constant additions made to the capital account, is of opinion that no new railway should be undertaken which would necessitate the raising of fresh Loans, and that, in order to place the finances of Railway Companies on a satisfactory basis, the distinction which is now made between Revenue and Capital Accounts should be discontinued."

If it was necessary to extend railways in England it was far more necessary in India. The productive power of India was practically unlimited, and all that was required was facility of communication; and therefore he was sure hon. Members who would refuse to apply such a Resolution to any company in England would still more object to apply it to India. He would undertake to prove by applying any such Resolution to any railway company in the Kingdom, that it was rapidly becoming bankrupt. The constant practice was to annually increase their capital as against revenue. What they really wanted was a more accurate form of account. If they adopted the views of the hon. Member for Hackney, he could show that there was not a railway company in this country which was not bankrupt; but if increased communication were more necessary in India than in England why should they attempt to apply a principle in India which they would never adopt for themselves? He was ready to admit that this system of Public Works Extraordinary was an innovation. But it was remarkable that the instances to which the hon. Member for Cambridge alluded—the Orissa Canal and Madras Irrigation Works—were not constructed by the Government of India; indeed, it was the very failure of those works that had obliged the Government of India to construct their own works. It was contrary to our idea that the Government should undertake public works of a remunerative character; but if they wanted an accurate estimate of what they spent and of what they got for their expenditure they must alter the present form of account. With the valuable assistance of the Financial Secretary he hoped he might shortly be able to make proposals which would show what was their capital liability and what was their revenue, and then they could see whether the increase of their capital was met by a corresponding increase of their revenue. It was by an alteration of account and not by laying down any absolute rule that they could improve the public works system in India. The Resolution of the hon. Member for Cambridge was not worth the paper on which it was printed. There was a great famine in Bombay and Madras. Hundreds of thousands of people were employed on public works, and they were going to pay them out of borrowed money. If this House declared that no public works were to be constructed by borrowed money, and if he came down and said that it was absolutely necessary to infringe that Resolution, or otherwise that hundreds of thousands of people would starve, he ventured to say that the House, by an overwhelming majority, would support the Government. He was ready to admit that there might be some difference of opinion in regard to Public Works Extraordinary. He would not assert that they were not a proper subject to refer to a Select Committee; but what he would say was, that they ought not to be so referred at the present moment, because the policy of the Public Works Extraordinary expenditure was closely connected with our Famine policy. The more he considered the subject the more he was inclined to some policy which would throw a greater responsibility on the local authorities, so that we might say to them—"If you wish to construct those works you must find the funds." By some such system as that we should deal better with famines. We had now in India a new Viceroy and a new Finance Minister, and he was perfectly certain that suggestions would be made by both with regard not only to the treatment of famines, but of Public Works Extraordinary. It would be very unadvisable to appoint a Select Committee until the House was in possession of the views of the Indian Finance Minister, and of the Secretary of State for India, and then the Government would be perfectly prepared to refer this subject to a Select Committee, the reference to which should be carefully guarded, the question being whether it would be proper to continue this extraordinary outlay from public loans. One word with respect to the Home Charges to which attention had been directed. He was quite ready to admit, and had already stated, that it was the duty of every Secretary of State, if possible, to lessen the growth of these Charges. Admiration of private enterprize had, he thought, led them to borrow too much in the English market; they should borrow more in Calcutta and in India. The Secretary of State had pronounced a strong opinion on the subject, and therefore there was no need to refer the question to a Select Committee. One or two remarks now as to the position of the Indian Government. No one could be, for the short time he had been, in a subordinate position in the India Office without being struck by the great and increasing difficulties of the Government in India. They had established in India a Government which was perfectly unique in its character. They placed at the head of it a Governor General, whom they surrounded with civil administrators and military advisers, who were the ablest men that this country afforded. The Viceroy exercised a power and patronage such as no other subject enjoyed, and which did not always belong to Sovereigns. But although it was a great and powerful Government, every iota of the authority exercised by the Viceroy was derived from Acts of Parliament. They, a self-governing people in Europe, had established an absolute Empire in Asia. The action of the Indian Government should be strong, persistent, and continuous, its policy should be mature and well-defined. And yet there was not a small detail of policy in the administration of that great dominion, not an isolated act of the Government of 200,000,000 of people, which could not at any moment be reversed by a House 10,000 miles away, whose elements were as shifting as the sands of the sea. They were anxious to infuse every element of stability and permanence into the Government of India, yet they were forced to subject it to the control of an Assembly upon which every breath and every change of public opinion must leave its impress. How had these two elements been reconciled? Simply because Parliament had declined to interfere, unless it saw that good results would follow; and had placed the responsibility of governing India upon a Minister who was responsible to it just as the Home or Foreign Secretary was. Although, therefore, he was perfectly ready as far as he was himself concerned to welcome inquiry into any subject connected with Indian Administration, yet he thought they should not go and turn the whole of that Administration topsy-turvey unless they knew the objects they had in view. There could be no object, in fact, there was nothing but danger, in perpetually burrowing and undermining the authority of the Indian Government. If that were so on ordinary occasions how much more on the present. He did not wish to exaggerate the crisis through which they were passing, and he hoped he might be able to make proposals this year which would satisfactorily meet their temporary difficulties and which would tend to a solution of their more permanent difficulties. One of the writers of the present day had accurately described the Government of this country as nothing more than a Parliamentary Committee. The Secretary of State was one of a Parliamentary Committee, and he had control over the Viceroy of India for the simple reason that he was nearer to the centre of authority. The hon. Member for Hackney would be the last person to wish to embarrass the Administration of India. But if one of the Houses of Parliament, from whom all authority was derived, chose to delegate its powers to a Select Committee, was it possible to prevent the interference of that Committee with the action of the Government of India? They had now a new Viceroy and a new Finance Minister, both men of great ability, and they ought to give them fair play in the great crisis through which they were passing; and, if he might go a step further, he would say that the Secretary of State for India was a man in whom the great majority of the people of England had confidence. He was told that hon. Members on the other side were as ready as those on the Ministerial side to acknowledge the great services the Secretary of State had rendered in representing this country at Constantinople. But it was a somewhat curious way of showing the gratitude they felt by interfering with him in his own Department. ["No, no!"] He was sure the hon. Member had not the slightest intention of doing anything unfair. But suppose the Select Committee expressed opinions contrary to those sent out by the Secretary of State, would not that be interference with the Secretary of State? He thanked the House for the attention with which they had heard him. He quite admitted that the question of Public Works Extraordinary deserved attention. He could only state with regard to the Motion of the hon. Member for Hackney, he opposed it, not because he feared investigation, or wished to curtail the powers of the Committee, but for the simple reason that it seemed to the Government inopportune, and that its operations could not fail to be, to a great extent, mischievous; and if the hon. Member pressed his Resolution to a Division he would appeal to the practical sense of the House to assist the Government in refusing a Motion which was nothing more than an inopportune attempt to resuscitate a Committee which had already come to a natural and not altogether undesirable end.

Mr. GOSCHEN said, he was disposed to defend the noble Lord against one of the strictures levelled against him by the hon. Member for Cambridge (Mr. Smollett), who said that Under Secretaries for India were anxious that the Indian Budget should be postponed till the latest day of the Session. In his opinion, on the contrary, the Under Secretary for India was the last person to wish to avoid a field-day; and the House had seen to-night, from the cheerful animation of the noble Lord, the great ability he had shown, the lightness and vivacity with which he had handled the subject, and his great industry in dealing with his figures, his surpluses, his Ordinary and Extraordinary Expenditure, that on no account would the noble Lord have wished to avoid discussion. He ventured heartily to congratulate the noble Lord upon the speech he had just delivered. Commencing by alluding to the Committees which had sat on Indian Finances and to the proceedings of those Committees, the noble Lord concluded with some general observations, in which he laid down the broad principle that to appoint a Committee was to supersede the Indian Secretary in the discharge of his important functions. Surely the noble Lord must have forgotten that the Leader of the House, the Home Secretary, and other Members sitting upon the front Ministerial Bench, had served with great satisfaction upon an Indian Finance Committee while out of office—a Committee which had sat for three years—and they did not appear to be of opinion that these three years had been wasted. The noble Lord said that so difficult was it to secure the attendance of Members, that it had been found necessary to increase the number of the Committee from 20 to 30, and even then it had been found difficult to secure a quorum, from which, he argued, that it would be unwise to re-appoint a Committee. If so, why did the Chancellor of the Exchequer vote for the re-appointment of that Committee? He (Mr. Goschen) preferred the unanimous opinion of those who sat upon that Committee—that it was desirable to re-appoint the Committee—rather than the opinion of the noble Lord which was formed just now. Then the noble Lord stated that, though this Committee was appointed with the approval of both sides of the House in 1871, circumstances had so far changed that it was no longer desirable that the Committee should sit. How had circumstances changed? Indian finance was now in a more critical position even than it had been five or six years ago, when the Committee was appointed. Since that time the finances of India had been threatened by dangers which then were hardly contemplated; and so far from a Committee being less necessary now, many grave questions had arisen which needed investigation in a still greater degree. The Committee would not be appointed with any view to supersede or interfere with the Indian Government while they were grappling with a famine, but to assist in interesting this House in the affairs of the great Empire for whose welfare the House were responsible with Her Majesty's Government. The useful Motion of the hon. Member (Mr. Fawcett) had led to as serious a debate upon Indian finances as had for some time been witnessed; and the noble Lord was to be congratulated that, instead of occupying little attention and speaking to empty benches, he had had the satisfaction of seeing that the House took a real interest in Indian administration. The supporters of the Motion asked the Government, then, not to cool that interest by refusing the materials and the information which were necessary for any useful discussion. He did not agree with all the reasons urged for the appointment of the Committee. For example, he did not think, as the hon. Gentleman (Sir George Campbell) suggested, that a Committee would prevent those oscillations which had occurred in Indian financial policy. No Committee, however long it might sit, would prevent such oscillations at home; and it would be impossible to prevent changes in cardinal questions of fiscal policy by any Committee of that House. But was the House sufficiently acquainted with the whole facts connected with Indian financial administration? The Chancellor of the Exchequer would not contend that the labours of a Committee, which would elucidate many difficult points and assist Members in taking part in Indian financial debates, would be wasted. If the reference were too wide, let the Government limit it; but he hoped they would not say—"There is no subject connected with Indian finance which we would wish to confide to the investigation of a Committee of the House of Commons." A broad distinction might be drawn between matters of policy and matters of fact. He agreed that there were many questions upon which no Committee would be able to arrive at so authoritative a couclusion as would our Indian administrators. On the other hand, there were several questions on which the House of Commons would be able to assist those who were intrusted with the administration of the Indian Government. There was, for instance, the question of the silver currency, which affected the whole financial system in India, and with regard to which the Committee proposed to be appointed might usefully consider the relations between England and India as to taxation and its payment in silver or gold. If last year the Government had not had the courage to resist the financial advice which came from India, a great mistake would have been made. As it was, the position taken by the Government at home, supported by the conclusions arrived at by the Select Committee, enabled the House of Commons to prevent the Indian authorities from taking steps which might not have been advisable. The question was one in reference to which the House of Commons had a perfect right to take steps in order to get all the information possible. The noble Lord had referred, in opposing the Motion to appoint a Committee, to the fact that a Committee had been appointed in 1874; but he seemed to forget that that Committee was appointed to inquire as to a different branch of the question, and its appointment was one of the reasons upon which the present Motion of the hon. Member for Hackney was based, because an unanimous recommendation of the Committee was that it, or another similar Committee, should be re-appointed in order to carry the inquiry through as regarded the whole of the questions involved. Although the Committee was not re-appointed it was, he thought, the general opinion of the House, that there were matters connected with Indian finance, in regard to which an inquiry might be usefully conducted by a Committee of the House of Commons. With regard to the scope of the inquiry, he had no desire that the Committee should deal with questions in reference to which the Indian Government was already working in the direction of reform; but he wished that it should deal with such other subjects as would properly come within its purview, and report at the end of the Session as to the results of the inquiries it had made up to that point. The House of Commons had already shown a great interest in questions affecting Indian finance, and he appealed to the Chancellor of the Exchequer not to check that interest which appeared to be growing, especially as the whole tone of the debate showed that there was no desire to embarrass the Indian Administration either at home or in India. The hon. Member for Cambridge (Mr. Smollett) had stated that, on the occasion of the Indian Budget, the debates got into a muddle on account of an Amendment that had been moved by the hon. Member for Hackney; but it was to be feared that this debate had got "into a muddle" on account of the hon. Member for Cambridge having moved an Amendment which, however important and interesting in itself, had really taken the House away, to a certain extent, from the question whether there should be an inquiry or not. The noble Lord, hearing certain criticisms on the conduct of Indian Administrators during some years, had taken the opportunity of vindicating generally the policy of the Indian Government; but that was scarcely a subject which the House could at present enter into. The noble Lord certainly took a very rose-coloured view of Indian finance in the statement he had made, and had forgotten one point which had been stated over and over again on both sides of the House—namely, that the taxation in India was such that in no emergency would it be possible to increase it. The state of Indian finance was such, though there might be a surplus in some years, as to demand serious consideration. Two millions for India was the ordinary surplus to which the noble Lord pointed, and that was a handsome sum; but in view of the great dangers involved in such an enormous outlay, and the immense difficulty of raising additional taxation in India, certainly the state of things was such as to require careful and anxious watching, and there was no Member of the House who would not deem it his duty to endeavour to form a judgment on these matters if they should come before it in the form of practical legislation. Members would not be able to discharge their duty satisfactorily if the Government did not assist them by placing before them the means that were at their disposal for educating themselves and for educating the country in regard to the facts of Indian finance. It was to be regretted that the Government had come to the resolution to refuse the appointment of a Committee. If they had been prepared to assent to the appointment of a Committee on a more limited basis, the hon. Member for Hackney would probably have been very willing to listen to some proposition of the kind; but to say that there should be no inquiry, notwithstanding the recommendations of former Committees, and because, there being a famine in India, officials could not have their minds distracted, was to throw more cold water on the growing interest in Indian finance than seemed either wise or expedient in the circumstances.

THE CHANCELLOR OF THE EXCHEQUER: Sir, after the extremely able and exhaustive speech of my noble Friend the Under Secretary for India, I had thought that it would not have been necessary for me to have troubled the House with any remarks on this subject; but I feel bound to make a few observations in deference to the very pointed appeal which has been made by the right hon. Gentleman who has just sat down. He asks of myself and of some of my Colleagues the question which, undoubtedly, it is not unfair to ask—namely, how it happens that although we now object to the appointment of this Committee, we have on previous occasions served upon Committees of a similar character, and have joined in recommendations for their re-appointment. I would say this in regard to myself at all events—that the Committees which sat in 1871, 1872, and 1873, were appointed at the instigation, and on the initiation of the Government of the day, who were of opinion that it was desirable, for reasons stated at the time, to appoint those Committees to inquire into certain matters connected with Indian financial administration, and that I had the honour of being placed on those Committees. Certainly those Committees entered into a very exhaustive and minute inquiry into the accounts of the Indian Government, and among the results which I think were derived from that inquiry was this advantageous one—that officers of the Indian service, who were connected with Indian financial departments, came over here and were brought face to face with Gentlemen accustomed to the English financial system, and were subjected to examination, and were required to give explanations that led to a better understanding on their parts with regard to the mode of keeping accounts. With regard to our motives in recommending that the Committee should be re-appointed, it seemed to me undesirable at that time to close the inquiry until it had been brought to a natural termination, and had the late Parliament entered another Session it would perhaps have been well to have endeavoured to obtain some practical result out of the labours of that Committee. That, however, is speaking of the time that is past. These labours were necessarily left incomplete in consequence of the Dissolution of Parliament and the dispersion of the Members of the Committee; and I should like to know whether it is in the purview of the hon. Member for Hackney, in making his present Motion, that we should take up the work of that Committee and that we should undertake the duty of reading up and studying the whole of the evidence taken by the Committee. We are told that the labours of the Committee resulted in the production of a great deal of valuable evidence. I am quite ready to admit that; but I should like to know how many hon. Members of the House have made themselves acquainted with all that mass of matter. I think that it would not be at all an unprofitable undertaking if hon. Members who now take so much interest in Indian affairs and in Indian finance would, before they enter upon another inquiry, make themselves to some extent, at all exents, masters of the evidence which has been obtained by former inquiries. Several advantages have resulted from the inquiries which have already been held. Thus, by degrees, we have got rid of many delusions and misunderstandings which at one time were prevalent amongst us, and those who take an interest in Indian finance understand many questions which were sealed books to them before. Moreover, those inquiries have led to certain improvements in keeping accounts in India, and to the minds of certain Indian officials being directed to points which were not satisfactory. But in addition to that the last Committee led to the practical result of the appointment of a departmental Committee, over which Mr. Bouverie presided, and which brought to light things which it would have been impossible for a Committee of the House of Commons to have dealt with. I submit, therefore, that the previous inquiries have not been without useful and practical results. But what are we now expected to do? It is certainly not desirable to have a Committee of the House of Commons sitting *en permanence* on Indian finance. It would be a very serious step to take to advise the appointment of such a Committee, who might possibly begin to inquire into the amount of influence which the Viceroy ought to have in dealing with financial matters. The hon. Member for Hackney may, however, say that he would have the Committee appointed to inquire in some special matters; but it seems to me that the inquiry he proposes would have a very wide range, and that it would have very little definiteness in its object. We have not now more than some two or three Sessions remaining of this Parliament, and if we were to reappoint the Committee of 1871, 1872, and 1873 we should merely accumulate the same mass of evidence without being able to attain any more practical result than the previous Committee secured. No doubt, Gentlemen might get a great deal of valuable and interesting information if a Committee were appointed; but you must bear in mind that the proposed inquiry would be a most serious inconvenience to the Administration of

India. If the inquiry is to be worth anything, you must bring home your best officials from India in order that you may examine them. If you do not do that, you will do very little good; and if you do that, it would undoubtedly cause a great deal of inconvenience in India. My noble Friend does not deny that it may be desirable to have at a certain time further inquiries into particular points, and he has indicated one upon which at some future time it would, no doubt, be interesting, and might be very valuable, to have the opinion of a Committee of this House—namely, the system on which public works are pursued. But my noble Friend points out that if a Committee were now appointed you might cause great inconvenience to the Government of India just at the moment of a great crisis—just at the moment when a new Financial Secretary has gone over from this country and is anxious to supply himself with all the information at his command and the means of employing every official that he wishes to employ for the purposes of both grappling with a great emergency and considering this question in India. Not from a want of interest in India, far from it, but simply because we believe the appointment of a Committee at the present time would be inconvenient to India, we feel ourselves bound to resist the Motion of the hon. Gentleman.

Mr. FAWCETT, in his reply, admitted that, on one assumption, he agreed with all the Under Secretary for India had said about the finances of India, for if the extraordinary expenditure were omitted, he agreed that the finances of India might be represented to be in a satisfactory condition. He contended that the extraordinary expenditure ought not to be excluded, and believed that a Committee would find that such expenditure being included, the finances of India were not in a satisfactory condition. He protested against the remark of the Under Secretary for India that the passing of this Motion would imply a censure on Lord Salisbury. Was it ever said that the passing of previous Motions for the appointment of a Committee implied a censure on the Secretary of State? As to the inconvenience which it was said the appointment of a Committee at the present time would cause to India, it should be remembered that when the Committee of 1874 was appointed the Bengal Famine was at its height. As he had obtained no satisfactory answer to his arguments from the Government, he must take the sense of the House on his Motion.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 123; Noes 173: Majority 50.

Question,

"That the words 'this House, viewing with alarm the financial deficits in our Indian Administration during the last ten years and the constant additions made to the debt of India during that period, is of opinion that no new public work should be undertaken which would necessitate the raising of fresh Loans either in India or in England; and that, in order to place the finances of India on a satisfactory basis, the distinction which is now made between Ordinary and Extraordinary Expenditure should be discontinued' be added, instead thereof,"

put, and *negatived.*

THE QUEEN'S SPEECH.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Lord Henry Somerset) *reported* Her Majesty's Answer to the Address, as followeth:—

I have received with much satisfaction your loyal and dutiful Address.

"Your assurance that the different measures which will be submitted to you will receive your careful consideration affords Me sincere gratification, and you may rely upon My cordial co-operation in your endeavours to promote the happiness and prosperity of My People in all parts of My Dominions.

PARLIAMENT—BUSINESS OF THE HOUSE.—RESOLUTION.

Mr. MOWBRAY moved the following Resolution:—

"That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called."

The right hon. Gentleman said, the only question in his mind was whether the time had not come for him, as Chairman of the Standing Orders Committee, to ask the House to make it a Standing instead of a Sessional Order. He was content however, this year, to move the Resolution in the same words as the House had previously passed it.

MR. GOLDSMID, in seconding the Motion, expressed the opinion that the time had arrived when this Rule ought to be made a Standing Order.

Motion made, and Question proposed,

"That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called."—(*Mr. Mowbray.*)

CAPTAIN NOLAN, while admitting that there was a great deal to be said in favour of the half-past 12 rule, pointed out that its effect last Session had been practically to put a stop to the Bills of private Members at that hour, without similarly affecting the Government Bills. The present hour, he thought, was too late for the discussion of so important a question, and he begged therefore to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Captain Nolan.*)

MR. C. B. DENISON drew attention to the way in which Members sometimes put down their Bills day after day and failed to be present when they were called, thereby causing others who were interested in the subject to remain late in the House to no purpose; and he made the suggestion that when a Member had been absent twice consecutively under the circumstances, it should be open to any other Member to move the rejection of the Bill.

THE CHANCELLOR OF THE EXCHEQUER said, he hoped the hon. and gallant Member (Captain Nolan) would not press his Motion for an adjournment. The subject had been repeatedly before the House, and due Notice had been given that it would be brought forward that evening. Moreover, it was only a few minutes after 12 o'clock. He thought there would be a general if not a unanimous feeling that the Motion of his right hon. Friend, being identical with that which had been passed for several Sessions, should be adopted again. There were necessarily deficiencies in any Rule of this sort, and they were obliged to depend very much on the general good sense and good feeling of the House. But this half-past 12 rule, as it was called, had come to be very well understood, and, on the whole, he thought it had worked very fairly. One objection he had heard made, and which had certainly sometimes made itself felt, was that occasionally a Member would put down a Notice of Amendment against an Order which was not likely to come on very early, and would nevertheless be absent when the Order was called, and thus leave it blocked in a way which gave rise to much inconvenience. At the same time, it was impossible altogether to avoid inconvenience in matters of this sort, and he thought they ought to trust to the common courtesy of hon. Members and to the general feeling of the House that the object of such regulations was not to stop business, but, as far as possible, to save time. The Rule had, he thought, worked well on the whole, and he hoped, therefore, it would be adopted as it stood.

MR. BUTT said, that he was sorry he could not agree with those persons who thought that this Rule had worked well. The result was that the House had sat later than it had ever done previously during his experience of its proceedings, and he would oppose the Motion. He agreed with the Chancellor of the Exchequer that they would do better to trust to the good feeling of the House. He had charge of a Bill last year, and, a Gentleman having put a Notice on the Paper, went to Ireland for a month and obstructed during that time the progress of the Bill. Towards the close of the Session they had to enter into a compromise about the Bill different from what the House had assented to. Would the House wish to sanction that sort of thing? There was another result. This struck only at Bills of Irish Members. [*Murmurs.*] He meant to say of private Members—a phrase he did not like. If he stood alone he should record his vote against the Motion, as he thought this system of restriction objectionable.

MR. HEYGATE said, that when the hon. and learned Member (Mr. Butt) spoke of trusting to the good feeling of the House he seemed to forget the causes which had led to the original enactment of the rule. It was the result of the inquiries of a Select Committee, composed of all the most experienced Members of the House, in 1871, appointed in consequence of the scandalous (for it was nothing less) scenes which had occurred in previous Sessions, when alternative Motions of Adjournment of the House and of the Debate kept them marching round the Lobbies half the night on more than one occasion. The Committee recommended almost unanimously that no opposed business of any kind should be commenced after 12·30. The rule was accepted in 1872 in its present shape, as modified by Mr. Gladstone, then Prime Minister, and though altered in 1874 at the suggestion of his hon. Friend (Mr. Dillwyn), so strong was the feeling in its favour, that it was restored to its original shape the very next Session by the urgent desire of the majority on both sides of the House. He (Mr. Heygate) had not proposed it this year, as he had hitherto done, because he felt the time was come when it must be made a Standing Order of the House, and he looked upon its proposal now by the Chairman of the Standing Orders Committee, as a step towards that desirable result as it was not expedient that a Rule so necessary for the health of Members and the decorum of their proceedings should be left to the accidental proposal of an individual Member in each Session.

Mr. RICHARD SMYTH said, he thought that in this matter there might almost be said to be involved the persecution of private Members, and the driving of them to distraction. He deprecated the adoption of anything which would further curtail their privileges. He expressed himself decidedly opposed to the Amendment, of which Notice had been given by the hon. Member for Swansea (Mr. Dillwyn), for the extension of the proposed Rule to Wednesdays in reference to the quarter of an hour before the rising of the House at 6 o'clock.

Mr. RAIKES said, there was good reason why Members should not wish to be kept in the House until half-past 12 o'clock, or it might be until 2 and 3 in the morning, in order to oppose any particular Bill which they regarded as an undesirable measure. A check should be put upon discussion in Committee on unimportant points after half-past 12 o'clock; but it would be the worst mode of arriving at that desirable end if they were to reject this Rule on the present occasion.

Sir CHARLES W. DILKE strongly advocated a limit being put to the late sittings of the House.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. BIGGAR moved to omit from the Motion the words "except for a Money Bill." The half-past 12 o'clock Rule was a very salutary one.

Amendment proposed, in line 1, to leave out the words "except for a Money Bill."—(*Mr. Biggar.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

The CHANCELLOR of the EXCHEQUER said, he hoped the Amendment would not be pressed, or if carried it might impede the progress of Public Business in the Departments. The Vote for the money was discussed before the introduction of the Bill.

Mr. BUTT said, this Rule would not apply to Money Bills. They were merely matters of form. He hoped the Amendment would not be pressed.

Mr. W. H. SMITH opposed the Amendment. It was essential that after money had been voted the Bills appropriating it should be passed as speedily as possible.

Mr. BIGGAR said that, at the suggestion of "our leader, the hon. and learned Member for Limerick," he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

At the end of the Question to add the words "and that the same rule shall be adopted on Wednesdays after a quarter to Six of the clock, and on other days, when the House meets at Two of the clock p.m., after ten minutes to Seven of the clock."—(*Mr. Dillwyn.*)

The CHANCELLOR of the EXCHEQUER opposed the Amendment, on the ground that it would make the Rule unnecessarily strict.

Mr. CHARLEY also opposed the Amendment.

Question put, "That those words be there added."

The House *divided:*—Ayes 32; Noes 185: Majority 153.

Main Question put.

The House *divided:*—Ayes 185; Noes 23: Majority 162.

Resolved, That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called.

BEER LICENCES (IRELAND) BILL.

(*Mr. Meldon, Mr. Charles Lewis, Mr. Whitworth.*)

[BILL 57.] SECOND READING.

Order for Second Reading read.

MR. MELDON, in moving that the Bill be now read a second time, said, its object was to carry out in Ireland the provisions of the law with regard to beerhouses which applied to beerhouses in England. He would only mention that as the law stood at present in Ireland any kind of premises might be licensed for beerhouses, and, in point of fact, a large number of beerhouse licences had been granted to single rooms. There were many instances in Dublin where music licences were given to rooms occupied by families of eight, nine, or ten persons, and much of the crime of Dublin was traceable to those places. It was generally admitted that this system was a most monstrous one, and required change. He had attended a deputation to the Chief Secretary for Ireland from the licensed vintners of Dublin, of whom the Bill had the approval, as their trade was credited with drunkenness, much of which proceeded from these houses. He understood that the Chief Secretary for Ireland had expressed his assent to the principle of the Bill, which was that these licences should only be given to premises of a certain valuation. That was the old principle of the English law, which still remained in force. The Bill proposed that premises, to receive a beer licence, must have a rateable value of £10 in places with a population under 10,000 inhabitants, and of £20 if the population was over that limit. Those figures might, of course, be modified in Committee, but as the Bill was really unopposed he hoped it might be allowed to pass.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Meldon.*)

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Eustace Smith.*)

SIR MICHAEL HICKS-BEACH said, that so far as the Government was concerned, he should be glad if the House would consent to the second reading of the Bill. It was a small Bill, which affected the single question of the rateable value of the premises licensed as beershops, and, practically, it would apply only to the city of Dublin, there being hardly any such houses in other parts of Ireland. Obviously the provisions of the English law ought to be extended to Ireland in this respect, and he therefore expressed his assent to the Bill on the part of the Government. In Committee some modifications might be introduced into the Bill with advantage, and in particular he thought these houses should be subjected to the inspection of the police.

MR. GOLDSMID observed that the Bill was no doubt a good one, but it had been brought forward at a very bad time, since they were unable to discuss it at that hour.

MR. O'SULLIVAN supported the Bill. It was in Dublin that those night-houses and beerhouses were kept up, from which, and not from the regular licensed houses, much of the mischief proceeded from which the regular trade suffered. He thought it was a step in the right direction, whatever might be the effect of the unfortunate Bill of yesterday.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL—[Bill 25.]

(*Sir Henry Wolff, Sir Charles Russell, Sir Charles Legard, Mr. Onslow, Mr. Ryder.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [12th February], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Goldsmid.*)

The House *divided:*—Ayes 9; Noes 64: Majority 55.

Question again proposed, "That the Bill be now read a second time."

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Parnell.*)

Sir CHARLES W. DILKE, while entertaining a very strong opinion against proceeding with the Business at these late hours, advised the hon. Member to withdraw his Motion.

Question put.

The House *divided:*—Ayes 7; Noes 66: Majority 59.

Question again proposed, "That the Bill be now read a second time."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Monk.*)

Question proposed, "That the word 'now' stand part of the Question."

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 22nd February.

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated:*—Sir Walter Barttelot, Lord Frederick Cavendish, Mr. Cubitt, Lord Eslington, Mr. Goldney, Mr. Thomson Hankey, Sir John Lubbock, Mr. O'Reilly, Sir Charles Mills, Mr. Seely, and Mr. William Henry Smith.

PUBLIC PETITIONS.

Ordered, That a Select Committee be appointed to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of Signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:—Committee *nominated:* — Sir Charles Forster, Mr. Kay-Shuttleworth, The O'Donoghue, Mr. O'Conor, Mr. M'Lagan, Earl de Grey, Mr. Kinnaird, Lord Arthur Russell, Mr. H. Corry, Mr. Cavendish Bentinck, Mr. Reginald Yorke, Sir Charles Russell, Mr. Sandford, Mr. Simonds, and Mr. Mulholland:—That Three be the quorum.

CRIMINAL LAW PRACTICE AMENDMENT BILL.

On Motion of Mr. Serjeant Simon, Bill to amend the practice of the Criminal Law in certain particulars, *ordered* to be brought in by Mr. Serjeant Simon, Mr. Gregory, Mr. Cole, and Mr. Herschell.

Bill *presented,* and read the first time. [Bill 78.

MERCANTILE MARINE HOSPITAL BILL.

On Motion of Captain Pim, Bill to provide for the organization of a Mercantile Marine Hospital Service and the Medical Examination of Seamen, *ordered* to be brought in by Captain Pim and Mr. Wheelhouse.

Bill *presented,* and read the first time. [Bill 79.]

BAR OF ENGLAND AND OF IRELAND BILL.

On Motion of Sir Colman O'Loghlen, Bill to enable members of the Bar of England to practise in Ireland, and members of the Bar of Ireland to practise in England, and further to empower Her Majesty to assign, by Commission of Assize, Judges of the High Court of Justice in Ireland to go Circuit in England, and Judges of the High Court of Justice in England to go Circuit in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Downing, Mr. William Johnston, and Mr. Meldon.

Bill *presented,* and read the first time. [Bill 80.]

PEERAGE OF IRELAND BILL.

On Motion of Sir Colman O'Loghlen, Bill to provide for the more effectual representation of the Peerage of Ireland in the House of Lords, *ordered* to be brought in by Sir Colman O'Loghlen, and Lord Francis Conyngham.

Bill *presented,* and read the first time. [Bill 81.]

VOTERS (IRELAND) BILL.

On Motion of Mr. BUTT, Bill to prevent the disfranchisement of Voters in Ireland by defaults or defects in the preparation of the Rate Books, *ordered* to be brought in by Mr. BUTT, Mr. MAURICE BROOKS, and Mr. SULLIVAN.

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 14*th February*, 1877.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee — Ordered — First Reading*—Publicans Certificates (Scotland) * [87].

Ordered—First Reading—Sale of Intoxicating Liquors on Sunday [83]; Free Libraries and Museums * [84]; Marriage with a Deceased Wife's Sister * [85]; Agricultural Tenements Security for Improvements * [86].

First Reading—Voters (Ireland) * [81].

Second Reading — Threshing Machines [20]; Irish Church Acts Amendment [48], *put off*.

THRESHING MACHINES BILL—[BILL 20.]

(*Mr. Chaplin, Mr. Clare Read.*)

SECOND READING.

Order for Second Reading read.

MR. CHAPLIN, in moving that the Bill be now read the second time, said, the object of the measure was to guard, as far as possible, against the occurrence of those lamentable accidents which too frequently happened in the working of machines of this nature. It contained but one clause. Several men were required in the working of these machines. One was employed in managing the machine and four others in assisting; but as there was not, as the machines were at present constructed, any safeguard at the feeding mouth, and the men being inexperienced, they were constantly exposed to serious accidents—accidents resulting in some cases in loss of life, and in others in permanent injuries. The Bill proposed to provide a safeguard at the feeding mouth, which would be of simple construction, and would have the effect, with care, of preventing such accidents; and it proposed to enforce the use of the guard by inflicting a penalty of 40*s*. on any person who permitted any such machine, belonging to him to be worked, or on any person in charge of such machine, without using this guard. Threshing machines when at work went at a rapid rate, making several hundred revolutions in a minute, and it was impossible in the absence of such means as the Bill provided to prevent accidents. The provisions of the measure were simple, and he trusted the House, in reference to the objects, would allow it to be read a second time.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Chaplin.*)

MR. HAYTER said, it would be an improvement if they could introduce a provision imposing penalties upon persons who employed inexperienced men to attend and work these machines. It was not always easy to find competent persons to tend the machines, and the consequence was that deplorable accidents frequently occurred—one had recently taken place in his own neighbourhood. He should be very much pleased if the hon. Member could introduce a clause in the Bill providing that persons who were not competent should not be employed in the working of the machinery.

MR. SERJEANT SHERLOCK said, he did not rise to oppose the second reading of the Bill; on the contrary, he believed it to be a useful measure, and desired to urge on the hon. Member for Mid Lincolnshire, that it should be extended to Ireland. For in Ireland thrashing machines were in general use; the use of them was increasing, and accidents of a serious character unfortunately resulted too frequently from the use of the steam engine by which they were worked. And as this was a measure for the protection of the farm labourer, he hoped that the Irish farm servant would have the same measure of protection as his English brother. Considering that the object of the Bill was to enforce more care on the part of the proprietors of these engines, and more regard for the safety of the persons in their employment; he thought the maximum fine of 40*s*. too small a penalty for neglect which might, and often did, involve loss of life. The proprietors of these engines were in general men in comfortable, if not in wealthy, pecuniary circumstances, whilst the men injured were as a rule, poor men. It was true that as the law now stood if the owners of these engines were guilty of wilful and perverse negligence, they were liable either to a civil action or perhaps to a criminal prosecution; but neither proceeding was likely to result in much benefit to the poor farm servant or in the event of his death to his widow and children, he therefore suggested that it should be discretionary in the magistrates to increase the penalty to £5, which would more effectually carry out the object of the Bill.

General Sir GEORGE BALFOUR said, that if the measure was to apply to Ireland as well as to England, it might also be suitable for Scotland, and he would therefore request that the further progress of the Bill might be deferred until he had received letters from Scotland as to the wishes of the parties interested about the measure being extended to Scotland. He thought it should be made general to the United Kingdom, if deemed necessary for the protection of life and limb.

Sir HENRY SELWIN-IBBETSON said, he completely concurred, on the part of the Government, in the objects of the Bill. The Bill was simple; and, in his opinion, did not go quite so far as might be desired; but no one acquainted with the agricultural population would deny the necessity of some measure of this kind. The accidents in 1875-1876 were numerous, and in some cases very serious—it was only a few days ago that a man had had his leg and thigh most seriously crushed. He should have thought that the owners of machines would for their own sakes employ skilled men to go out with the machines and direct the working of them; but if the case could be made out that incompetent persons were employed, he was sure his hon. Friend the Member for Mid Lincolnshire would allow Amendments to be introduced for the purpose of strengthening the measure. With regard to Ireland and Scotland, he should like to see the Bill extended to those countries.

Mr. MITCHELL HENRY said, he thought there was great disadvantage in the extremely vague language in which the main clause of the Bill was couched. It set forth that the straps and wheels were to be kept securely fenced, so far as was reasonably practicable with the efficient working of the machine. Who, he asked, was to be the judge of what must be efficient and practicable working? The question would have to be left entirely to the discretion of magistrates. There were many agricultural machines which were extremely dangerous in their present condition. But he should like to ask whether the Law Officers of the Crown had really considered the scope and effect of the Bill; whether they thought a measure of this description should be further proceeded with, and whether it would not be better to introduce a much more comprehensive measure, such as that which affected manufacturing machines? This Bill seemed to him rather to limit than to extend the responsibility of those who were owners, or who were in charge of threshing machines. One magistrate, when a case was brought before him, might pooh-pooh the evidence, and say he considered the machine as well fenced as it could well be, while another magistrate might take a totally opposite view. To say that a machine should be fenced so far as was reasonable and practicable, "consistent with its efficient working," was not, in his opinion, language that would sufficiently accomplish the object of the hon. Member who had introduced the measure to the House.

Mr. WHALLEY acknowledged the motives which led his hon. Friend (Mr. Chaplin) to introduce the Bill; but as it appeared to him the measure would create a new offence, he could not on that ground approve of it. He did not see that there was any necessity for this special legislation than there was for legislation with respect to any other kind of machinery. The Common Law of the country would be sufficient to meet and deal with all accidents arising from neglect, whether from threshing machines or otherwise. The Bill would establish a precedent to which there might be no end.

Mr. GREENE said, he approved of the Bill generally, but he thought Amendments might be introduced in Committee. The Bill was extremely simple, and might prove the saving of many lives. As the machines were now used they proved the cause of many lamentable accidents and frequent loss of life; and he thought, therefore, the Bill would meet with the general acceptance of the House.

Mr. YEAMAN, as a Scotch Member not unacquainted with the principles of threshing machines, said, he should give his support to the Bill. He heartily approved of its principle. They had legislation for the protection of manufacturing machinery in Scotland, such as in the linen and jute works, and that kind of machinery was far less dangerous than threshing machines. When they thought of the many careless people who were engaged to work these machines, it was surely their duty to legislate for their protection. He hoped the Bill would be made to apply to Scotland and Ireland. The expense of protecting the machines in the way proposed would be very small. He agreed that the penalty for not obeying the Act ought to be raised to £5.

MR. M'LAGAN said, he quite appreciated the motives which had actuated the hon. Member (Mr. Chaplin) in introducing the Bill, and he approved of any attempt to prevent these melancholy accidents; but he must say that, as the Bill had only been delivered that morning, he had scarcely had time to consider its principle. He should like to ask whether, in the opinion of the Government, the existing law was not sufficient to deal with these cases? For his own part, if it was, he should strongly object to multiplying offences and Acts of Parliament. If they began to legislate separately for one particular agricultural machine, there was no saying where they would stop. Why not legislate for turnip-crushing machines or steam ploughs? If they did that, they might soon have as many Acts referring to agricultural machines as they had agricultural machines themselves. He did not, however, intend to oppose the Bill.

MAJOR O'GORMAN congratulated the hon. Member on having brought in the Bill, and hoped he would consent to introduce a provision in it to extend it to Ireland. He hoped, however, that the penalty would be confined to 40*s*.

MR. ASSHETON CROSS, in reply to the question put to him by his hon. Friend (Mr. M'Lagan), said, no doubt the present law was sufficient to deal with these accidents; but the remedy was by civil action, and the process was expensive and dilatory, and poor persons interested were generally too poor to seek redress in that way. The law was therefore, in relation to such injuries, defective, and required amendment.

MR. CHAPLIN, in reply, said, that if any hon. Member liked to move in Committee that the Bill should extend to Scotland and Ireland, he should not object.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 28th February.

IRISH CHURCH ACTS AMENDMENT BILL.—[BILL 48.]

(*Mr. Parnell, Mr. Fay*).

SECOND READING.

Order for Second Reading read.

MR. PARNELL, in moving that the Bill be now read the second time, said, that its object was to facilitate the purchase by the occupying tenants of the lands which formerly belonged to the Irish Church, and which were now vested in the Irish Church Temporalities Commissioners. In the first place, he would call the attention of the House to those sections of the Irish Church Act of 1869 which his Bill proposed to amend. That Act, as the House was no doubt aware, vested the landed and other property of the former Established Church of Ireland in the hands of the Church Temporalities Commissioners. One of the sections—the 34th—empowered the Commissioners to sell the fee-simple of lands held of them, a right of pre-emption being given to the occupying tenant—thus clearly indicating that the tenants should be encouraged to purchase their holdings in order that a class of peasant proprietors might be created. Section 52 empowered the Commissioners to credit the purchaser with three-fourths of the purchase money on the payment of 25 per cent in cash, the payment of the remaining three-fourths being spread over a term of 32 years, in half-yearly instalments, with interest at the rate of 4 per cent on the unpaid portion. The Commissioners were also empowered by Section 32 to sell any rent-charge in lieu of tithes to the owners of the land charged therewith for a sum equal to 22½ times the amount of such rent-charge, and they could declare the purchase money so payable by the owner or any part thereof to be payable by instalments, extending over 52 years, of £4 9*s*. per cent on the purchase money. Now, he proposed by this Bill to place the tenant, purchasing the fee-simple of the land, upon the same footing with the purchaser of the tithe rent-charge—that was to say, that the purchase money payable by the tenants of the land when purchasing the fee-simple of their holdings from the Commissioners might be payable by instalments extending over 52 years of £4 9*s.* per cent per annum on the purchase money, thus placing the tenant of Church lands desirous of purchasing the fee-simple of his holding in the same position as the owners of land charged with rent-charge desirous of purchasing the charge on their land; with this exception, that whereas the Act of 1869 fixed the purchase price of the tithe rent-charge at 22½ years' purchase, this Bill provided that the purchase price of the fee-simple might vary from 20 to 25 years' purchase of the general tenement valuation. The reason for this was obvious. The tithe rent-charge was a first charge on the land, and as it had a very large margin of security, it bore a higher market value than the fee-simple of the land, which came after it, and therefore it had been thought proper by the framers of the Bill that the price of the holding to the tenant should be somewhat less than the price paid by the landlord for purchasing the tithe rent-charge; though in some cases it might be more. He wished to draw attention to the difference under the present law between the position of a tenant who was desirous of purchasing his holding and that of the owner of the land subject to the tithe rent-charge. The tenant was only permitted to purchase his holding by paying one-fourth of the purchase money in cash and the remainder by instalments bearing interest at 4 per cent per annum; whereas the owner of land charged with rent-charge, who was usually a wealthy landlord, could purchase the rent-charge without paying any cash, and both interest and sinking fund were provided for by an annual payment of less than 4½ per cent per annum. What, then, he proposed was that the tenants should be allowed to purchase their holdings on the same footing as the purchasers of tithe rent-charge — namely, that they should not be required to pay one-fourth, but that the whole should be payable by instalments distributed over a period of 52 years. It appeared from the last Report of the Commissioners of the Irish Church Temporalities that the great bulk of the land held by them had been offered for sale to the tenants, and that some comparatively small sales of these lands had been effected in the Landed Estates Court. During the past year 2,770 offers of sales had been made: of these, 1,470 had been accepted, 400 had been declined, and 900 cases were still pending, and in the case of 500 holdings no offers had been made. There were therefore some 1,800 holdings to which this Bill, if carried, would be applicable. The Commissioners further stated that when they first commenced to offer the Church lands for sale the tenants were not generally prepared to take advantage of the offer, few of them being aware of the privileges conferred on them by the Act, while, as a class, they were poor and ignorant, and misunderstood the offers made to them; but they said there was no doubt that the agricultural tenants were almost universally anxious to purchase their farms, and would do so if they had the means, and that many of the tenants who had been unable to buy, or who had misunderstood the offer of sale when it was first made, would now be glad to purchase. It was, therefore, not without confidence that he asked the House to read a second time a Bill which would promote the prosperity, contentment, and independence of some 1,800 industrious heads of families in Ireland. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Parnell.*)

MR. MACARTNEY said, he should oppose the Bill and move its rejection, on the ground that it was not retrospective, and would therefore give to those who now purchased under it a great advantage over those tenants who had already purchased their holdings under the existing terms of the Act and had paid down 25 per cent of their purchase money. Many of these holdings had been purchased at prices varying from 30 to 15 or 12 years' purchase, according to the circumstances of the holding; and that price was sometimes 30 or 40 per cent more than the purchasers under the present Bill would be required to pay, without the obligation of paying any part of price down. This would operate very unjustly on those who had already purchased under the provisions of the existing laws; and would they not be entitled to demand from the country a reduction of the terms on which they had themselves purchased, to a proportion similar to that which was to be extended towards purchasers under the provisions of the Bill now before the House? The measure would revolutionize and disturb all the money arrangements of Ireland with regard to land purchased from the Commissioners. He should therefore oppose the second reading.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Macartney.*)

MR. FAY said, he contested the statement of the hon. Member for Tyrone that any disturbance would arise in the arrangements with past purchasers out of the present Bill. The Government had, through the Church Temporalities Commissioners, given the tenants the opportunity of acquiring the lands they held; but the conditions required by the Commissioners were so stringent that the poorer class of tenants were unable to meet them. He thought the spirit of the intention should be carried out, and those who were unable to pay the fourth down should be assisted, so that they should be enabled to seize the opportunity. He could state, as a matter of fact, that within a few days he had seen conveyances from the Church Commissioners to tenants; but the latter being unable to raise the money to be paid down had gone to gentlemen of their neigbourhood and asked them to purchase the property and become their landlords. In this way the poorer tenants were unable to take the benefits the Act intended for them, and many of the small holdings had been lost to the occupiers. He could not help expressing his regret that the Irish Church Commissioners when they found the tenants were so poor did not report to the House upon the circumstances, so that something could have been done. But there remained some tenants who had not been transferred to other owners, and for these he hoped the opportunity afforded in the Bill would not be lost by a hard-and-fast line of 20 or 25 years in the price of land on the terms as to the occupier as to those others who had purchased the tithe rent-charge. He thought that if the Bill were allowed to go into Committee hon. Members who supported it might be inclined to make such concessions as would meet all fair objections on the other side.

MR. O'SHAUGHNESSY said, the Bill consisted mainly of two parts; in the first place it compelled the Commissioners to accept occupiers of holdings of 25 years' purchase; and, secondly, it gave facilities for purchase by spreading the payment of the purchase money over a considerable time instead of laying a large sum down. The provisions of the Bill in these respects were in keeping with the spirit of the Land Act. The object of that measure as of this was to enable tenants to acquire the fee-simple of the land. It was not necessary to dwell on the advantages the measure would confer on the country—long experience and the history of agriculture sufficiently demonstrated that. The present proposal raised no "burning question" of landlord and tenant right—it proposed not to trench upon the landlord's rights, or to "confiscate" his property—it was the opportunity for the Government to confer a sound benefit upon the tenant class without touching the landlord interest. He regretted, and he could not understand, the determined opposition which had been offered to the Bill on the part of the landlord interest, because no fraction of the privileges of the latter was interfered with.

MR. ARCHDALL said, he should be happy to give the Bill his support, believing it to be a fair and a just one.

MR. WHALLEY desired to call the attention of the House to the fact that the property which Parliament was thus asked to deal with was public property, and that the concession asked was in favour of the poor Irish tenant—concessions the House had made for many years to the Irish tenant, and he hoped would continue to make. For 25 years their claims, if not always granted, had been frequently recognized, and this was a case where the property to be dealt with was not private but public property.

MR. MULHOLLAND pointed out that although its supporters had argued that the Bill would carry out the principle of the Land Act he differed from them emphatically, and cited the words used by Mr. Gladstone in support of his views that before the State should lend money to the tenants for the purchase of their holdings, 25 per cent of the purchase money should be paid down. It was not to be supposed that (owing to bad seasons and from other causes) the payments extending over 52 years would not often fall into arrears, and it was now proposed that the occupier should become a nominal owner without having paid a shilling. It was, in his opinion, a most unsafe investment of the Irish Church surplus, and it was entirely against the spirit of the Irish Church Act. Quoting from a speech made by Mr. Gladstone on the occasion of bringing in that Act, the hon. Member proceeded to show that on national grounds, and for national interests, the Church Act fixed the terms of purchase of the tithe rent-charge, and not with any view of favouring particular tenants. There were urgent reasons why the House should not pass the Bill without very strictly investigating the consequences which it involved. The Bill was dangerous in every way—it would endanger the surplus accruing to the State from the Church funds; it would place the State in a very anomalous position in regard to those who had already purchased under the Irish Church Act; and, moreover, it would establish a very bad precedent. He should be very glad to see tenants obtain possession of their holdings—nothing could be more conservative and more beneficial to Ireland—but this should be done on reasonable terms and by carring out reasonable arrangements, and it was not a reasonable arrangement that the tenant should be free from all responsibility—he ought to be made to pay down some portion of the purchase money as a guarantee of his good faith and to afford security for the State, which lent him the capital. If this Bill were passed, he did not see how they could refuse to re-model the Bright Clauses of the Land Act in the same direction as this Bill. But Mr. Bright had expressly declared his satisfaction with those clauses, and as that opinion did not emanate from a Conservative Member or an Irish landlord, he thought hon. Members opposite would receive his testimony with some respect. Five thousand tenants had already purchased their holdings from the Church Temporalities Commissioners, and a section of this Bill provided that if any of those tenants thought he had paid too much for his tenement, he might apply for an arbitration on the question whether he had paid too much. If the arbitrator should decide in the affirmative, the excess must be returned; and it would have to be returned out of a surplus which Parliament devoted to a national trust. He hoped the House would reject a Bill which raised very important issues in so hasty and inconsiderate a manner.

Mr. BENETT STANFORD said, he was unable to agree with the objections which had been raised. Generally he was averse to treating measures coming from any particular part of the United Kingdom in any other light than that of Imperial measures; but when on this subject he found an almost unanimous opinion amongst the Irish Members that the Bill would be for the advantage of their country, then that appeared to him to be a strong reason why he should vote for the second reading. The broad principle which guided him was whether the measure would effect good or evil for Ireland. He had read the Bill, and he found that it must increase the number of small freeholders in Ireland, and that to his belief would tend to add to the prosperity of the country. That opinion was confirmed by the almost unanimous support which was accorded to it by the Members for Ireland, and he should therefore cordially support the second reading.

Sir MICHAEL HICKS-BEACH said, he had every sympathy with the feeling of the House in favour of extending as far as possible the opportunities for tenants in Ireland becoming owners. But it was for the House to consider not only the natural desire in favour of that extension, but also the means by which it was proposed to carry it out. The hon. Member for Meath (Mr. Parnell) had spoken of the Bill as a short and simple one for extending to tenants under the Church Temporalities Commissioners the facilities for purchasing lands in their occupation which were given to the owners of land liable to tithe rent-charges under the Act of 1869 for redeeming the tithe rent-charge. For himself, he could have wished that the Bill had not come on for consideration before the Report of the Commissioners for last year had been presented; because he thought that it would show a result different from the Report for 1875. The hon. Member for Cavan (Mr. Fay) had quoted the Report of 1875 to show that the Commissioners had done very little in the way of carrying out the intention of the Land Act, which was that the tenants of Church lands should, as far as possible, become owners in fee-simple. He (Sir Michael Hicks-Beach) thought from what he had learnt that there was good reason to suppose the Report for last year, which would be presented in a few days, would show very considerable improvement in that respect, and also considerable progress in the sale of Church lands. Under the provisions of the Irish Church Act of 1869, amended by that of 1872, landowners were permitted to purchase the tithe rent-charge on their lands at a capital sum calculated at 22½ years purchase, payable in 52 years by annual instalments of £4 9*s*. per cent. In making the calculation of the capital value of the tithe rent-charge they were to deduct any poor rate paid on it; and provision was made by which the owners of tithe rent-charge who had purchased the rent-charge without receiving any allowance for poor rates, were permitted to go so far back on their bargain as to deduct the poor rate from the sum they had paid. Those were the provisions which the hon. Member proposed to extend to the tenants of Church lands. Now, speaking for himself, he could not say he approved the provisions of the Act of 1869 with regard to the purchase of tithe rent-charge. It seemed to him as it did to some other Members of the House—the hon. Member for Hackney (Mr. Fawcett) spoke strongly on the subject at the time—that it might be considered as giving something like a bribe to the landlords. The hon. Member for Downpatrick had stated the reasons which induced Parliament to assent to that course; and he was bound to say that these reasons were so far justified by the event that the bribe had not proved sufficiently tempting to induce a large number of the payers of tithe rent-charge to redeem it. But who were the tenants of Church lands to whom it was now proposed to give the fee-simple of their farms in return for an annual payment for 52 years, which would, in any case, be but little greater than the rent which they now paid as tenants? The hon. Gentleman (Mr. Parnell) did not define them in the Bill. Were they the tenants who held leases and sublet to others? or were they the occupying tenants? [Mr. PARNELL: The occupying tenants.] Then, were there any provisions in the Bill to prevent those who had perhaps only a few months ago become tenants for the first time under the Church Commissioners from receiving a boon not conferred upon anyone outside the class, and which there was no reason why they should enjoy more than anyone else? If not, the omission was a great blot. But this scheme did not carry out the policy of the 37th section of the Church Act; that might have been satisfied by taking 22½ years purchase of the real annual value of the land, possibly even of the rental paid by the tenant; but it took as the test of value the tenement valuation which notoriously was not a test of value, and thus went much beyond the Church Act. Why should they? The hon. Member who proposed the Bill had himself stated the reason; because otherwise there could be no real security for the repayment of the purchase money. In the case of the tithe rent-charge there was an ample security, because that being a first charge on the property amounted to only 1*s*. in the pound on its annual value, and therefore there was a large margin to secure the annual payment over 52 years; but if that annual payment represented the real annual value of the property plus a small increase, you would have a charge on the land for 52 years which was greater than the rent now paid by the tenant. What security had they for the payment during that 52 years? To avoid this the hon. Member for Cavan proposed to keep down the annual repayments by under-estimating the real value of the land, and thus to sell the land to the tenants for an amount which, even with the almost nominal addition for the redemption of the capital would be less than the rent they were now paying. Why should a large portion of the "Church surplus" be thus handed over to these tenants? But if this were not done had not the Commissioners a worse security than they had for the payment of the present rental? In many cases these tenants were persons of small capital, having very small farms, liable in the event of one or two bad seasons to fall into arrears of rent, and then if they did so the Commissioners would be placed in this position—they would feel themselves the landlords of a considerable portion of the country—they would be the landlords of tenants falling into arrears practically irrecoverable by a body like the Church Commissioners, or if attempts were made to recover them, they would become the source of no end of bitterness and heart-burning. That was the difficulty. You would place the Commissioners in an invidious and improper position without giving them the security which any private seller of an estate would demand. What was the present law? A tenant might now buy his holding at its estimated value, paying one-fourth of the purchase money down and the rest by instalments extending over 32 years, with interest at 4 per cent; and for this purpose he could borrow from Government two-thirds of the purchase money, repaying it by an annuity of 5 per cent per annum for 35 years. He (Sir Michael Hicks-Beach) could not see how more favourable terms could be given to the tenants than these. He now came to that part of the Bill not intended, according to the hon. Member for Cavan, to be pressed —he meant the retrospective clauses. The hon. Member had practically copied Clauses 3, 5, 6 and 7 of his Bill from the Act of 1872; but he had added to them Clause 4, providing for a reference to arbitration, which in the Act of 1872 referred not to sales of tithe rent-charge by the Commissioners, but to purchasers by them of tithe rent-charge from lessees. He was willing now to give up the retrospective part of the Bill; but he desired to point out to the hon. Member that it was impossible to adopt a scheme of this kind without doing the grossest injustice to the 5,000 or 6,000 persons who had purchased Church lands under the existing law. It seemed to him that this Bill, taken as a whole, was one which ought not to receive the sanction of the House. His objections to it were, putting aside the question of the introduction of tenement valuation, purely of a financial character. Last year the hon. Member for Cavan introduced a measure which he (Sir Michael Hicks-Beach) believed to be identical with this Bill. He referred it to the Church Temporalities Commissioners. He obtained from them at the time a Report which dealt very fully with the scheme. He had not had time to refer again to the Church Temporalities Commissioners. He could not tell what progress had been made in the interval, and therefore it was difficult for him to judge what necessity there might be for any change of the present law. He thought that so far as it could be done consistently with obtaining upon proper security a fair price for the land, to which the State was entitled, facilities should be given to the tenants to purchase their farms. Whether the payment might be spread over a greater number of years than at present he could not say; but if the hon. Member would not press this measure, which he (Sir Michael Hicks-Beach) thought was open to great objection, he would at once consult the Church Temporalities Commissioners, and if necessary would prepare a measure for the improvement of the present law.

Mr. BUTT said, he thought that what the right hon. Baronet the Chief Secretary had said afforded a very good reason for reading the Bill a second time, and deferring its further consideration until he had obtained the information which he had promised to procure. From what they had heard he was prepared to vote for the second reading of the Bill; the view he took of it being this—he was not concerned with the policy of dealing with the Church or the Land Acts—as he understood the principle of the present Bill, it dealt exclusively with the occupying tenant of Church lands. Those tenants had in many cases come into their holdings under the Protestant clergymen, whose character was in general a guarantee that no tenant would be dealt with harshly; but now those tenants might be transferred with the land to a purchaser who might be a speculator in land, and who would deal with them as hardly as any secular proprietor. Could the House, under those circumstances, do anything for those tenants? It had been supposed by some that something might be done in the Landed Estates Court to protect those tenants against excessive rent. But that might be considered an interference with the rights of property. But there could be no interference with the rights of property in the propositions of the present Bill. There might be a diminution of the surplus Fund of £5,000,000 or £6,000,000 under the Irish Church Act; but, if so, no one would be injured.

Even if that surplus would be diminished the only consequence would be that there would be less to devote to the Irish purposes to which it was to be appropriated; and, for his own part, he did not know of any better Irish purpose to which it could be appropriated than the purpose to which it would be devoted by this Bill. This, he believed, was the principle of the Bill. They were not now asked to start any new principle, for the principle of the Bill was recognized by the Church Act, which admitted that something must be done for these persons. He thought it would be an enormous advantage to establish a small class of landed proprietors, for which this Bill gave an opportunity, without trenching upon right of property in any way, and that being so, the question arose whether they should take advantage of it. He must say, for his own part, that he thought they should not allow the chance to pass of effecting an object which he thought would be generally felt was one of great importance, and the attainment of which was likely to be of great public advantage, besides that which it would confer upon a class of persons deserving their sympathy. He quite admitted that the present valuation did not afford a fair test of the value of the land; but he thought the poor tenant should gain the same benefit as the rich landlord from the Church Temporalities Act. The hon. Member for Downpatrick (Mr. Mulholland) had expressed a fear that the passage of this Bill would endanger the security for the charge of the Irish Church; but the surplus was sufficiently large to leave an ample margin of security for the Irish Church charge after this Bill had been passed. He would ask them where there was anything unreasonable in the Bill? If, without trenching on the rights of property, they should embrace the only opportunity which might be afforded for a century in the way of establishing a peasant proprietary, he said then, in Heaven's name, let them embrace that opportunity by passing the second reading, even if they were to defer further progress with it until they had obtained such further information as might be requisite to settle its details. He trusted that by affirming the second reading of the Bill they would take a step which would do justice to a poor class of tenants by giving them every possible facility of purchasing their interests.

MR. O'REILLY said, he thought there was so little difference between the views of the Chief Secretary for Ireland and those of the supporters of the Bill, that he did not see why they should go to a division. Both were agreed that the object of the Bill was a very desirable one—namely, to give to the occupying tenants the same facilities of purchasing their holdings which was given to the landlord for purchasing the tithe rent-charge. The promoters of the Bill were willing to give up the retrospective clause, and also to let the price be fixed on the basis of the rent instead of by the tenements' valuation, in order to meet the objections which had been taken, provided the principle was accepted of waiving the immediate payment of one-fourth of the purchase money—a stipulation which was too onerous for the poorer class of tenants who wished to acquire their holdings. The Chief Secretary asked what security the Commissioners would have for the punctual payment of the instalments by the occupier? But he believed that the tenant would make every effort to keep up his annual payments when he had a yearly increasing interest at stake, and knew that if he fell into arrears he would be liable to forfeit the part of the purchase money he had already paid. If such an understanding were come to there would probably be no doubt that under these circumstances the Irish tenants would keep up their payments. If they were not to press the second reading of the Bill the Government should at least give an engagement that the case of existing tenants should not suffer by any delay in dealing with the subject.

MR. CHARLES LEWIS said, he would challenge anyone to say that this was a question between rival Churches, or that it involved any point of protecting the poorer tenant against the oppression of landlords—it was simply a dry commercial question as to how that which had become public property should best be converted into money, and what conditions should be annexed to that process. Only a few years ago the Irish Church was disestablished amid a burst of political enthusiasm, and why were they now asked so early to alter the provisions of that measure?

Much had been said about the poor tenants. Some of the Church tenants might be poor, but he believed that they were frequently rich persons, who were well able to take care of themselves. He denied that because the holding might be small the tenant must be poor —he said that many of them could, if they chose, easily pay down the quarter of the purchase money required by the Act of Parliament. But whether rich or poor, he objected to allowing that consideration to affect the terms upon which public property should be converted by sale into private property. The sole consideration was how the public interests were to be protected in the question. Moreover, a difference could not be made between rich and poor in applying the provisions of the statute. This was essentially a Bill of details, and yet almost every clause in it had been surrendered by its supporters. There was no principle in the measure, though there was a sort of sentiment underlying it. It might be desirable that tenants should become owners of their holdings, but the existing terms under which they could do that now were fair and reasonable; and the present Bill sought to substitute terms that were improvident and unreasonable. It was urged that they had already done for the rich landlord what they were now asked to do for the poor tenant, but he denied that the two cases were analogous; for in the instance of the tithe-owner they had the security of the estate itself for the small payments; whereas by this Bill it was proposed to give the tenant credit for the whole purchase money of the fee-simple. He should certainly oppose the second reading of the Bill.

Mr. MITCHELL HENRY said, the hon. and learned Member for Londonderry (Mr. Charles Lewis) could evidently speak as fluently on a subject that he did not understand as on one that he had studied, and certainly could apply general principles in a manner somewhat misleading. If the hon. and learned Gentleman had read the Report of the Church Temporalities Commissioners he would have seen that they desired that some measure of the kind should be initiated either through Parliament or through themselves. The facts were in the smallest possible compass. To about 9,000 holders under the Church, facilities were given for the purchase of their tithe rent-charge. Of these one-half who were chiefly landlords had already purchased under considerable facilities; but the smaller class of tenants, though the hon. and learned Member for Londonderry thought they could pay one-fourth of the purchase money, were not able to partake of the advantages offered to their richer neighbours, the landlords. The Commissioners said that if the intentions of Parliament were to be carried out additional facilities must be given to smaller holders. That being the case, the simple question was whether the Bill went too far in giving these facilities, or whether this desirable object should be carried out in some other way. The hon. and learned Member for Londonderry had introduced into this question an exciting topic when he put it as a matter between the Church of Ireland and the tenant, and by so doing he was introducing a very mischievous question, which certainly was never intended to be introduced by this Bill, and had not been raised on his side of the House. For his own part, he wished to suggest to the right hon. Gentleman who represented the Irish Government on this occasion that if he would consent to the second reading of the Bill it would be the duty of the House to refer it to a Select Committee, with the view of obtaining the views of the Commissioners of Church Temporalities on it.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PLUNKET) said, it was desirable to clear away some misunderstandings that had arisen in the course of the debate. It had been said that this was no question of the Disestablishment of the Church, but that the Bill was introduced simply in the interest of the public generally—that it was intended to provide facilities for enabling the tenants to purchase their holdings. He (the Solicitor General) agreed that this was no question injurious to the interests of the Disestablished Church or affecting the policy of a new Land Act — nobody had said that it was —but he did say that it was a question of conferring on certain persons a very considerable advantage which could not be shared by the general public. He said further that while it was true that the Irish Church Commissioners had intimated in their Report that they thought something should be done to amend the law in relation to that subject, yet they having had a Bill like the present one under their consideration, they did not deem it either a wise or a desirable method of attaining their end. After further consultation with the Commissioners, however, the Government would be ready to consider whether some reasonable measure could not be introduced to facilitate the purchase of their holdings by the tenants. The aggregate annual rental derived from 6,000 tenants was £135,000, or an average of over £27 a-year from each. It was not true, therefore, that the tenants interested in this question were very poor. Moreover, this Bill dealt with the immediate lessees, and not with the occupying tenants. But there was one principle in the Bill which compelled him to decline voting for the second reading. It proposed that the Commissioners who held this property in trust for the public should sell the fee-simple of the land to the tenants who were not to lay down a single farthing of purchase money. It must be known to many hon. Members that that would be a total departure from the principle of any Bill or any Act that had yet become law. This was the cardinal principle of the Bill; and as the Government could not sanction it they could not support the second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 110; Noes 150: Majority 40.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

LEAVE. FIRST READING.

MR. WILSON, according to Notice, moved for leave to bring in a Bill to prohibit the Sale of Intoxicating Liquors on Sunday in England and Wales.

MR. ASSHETON said, that he had no intention of offering any opposition to the introduction of this Bill. He certainly would not attempt to discuss a measure which was not in the hands of Members; but while it was still in a plastic state he wished to call the attention of the hon. Member who had introduced it (Mr. C. Wilson) to the inaccurate description which had been given of all Bills of this kind which he had ever seen. The object of this Bill, they were told, was to prohibit the sale of intoxicating liquors on Sunday in England and Wales. Of course he could not tell what the provisions of this measure might be; but in all similar Bills which they had discussed in that House there were clauses which exempted travellers—*bonâ fide* travellers—and lodgers from the action of the Bill. These Bills closed the public-houses to those who lived to the immediate neighbourhood, but not to those who lived far off. He ventured to say that many Members of this House, and certainly nine out of ten who signed Petitions in favour of Sunday closing, thought that they were advocating a system of closing public-houses in such a way that liquor could not be bought on Sunday any more than they could buy a coat or a hat. That was a distinct and intelligible issue. There was much to be said for it and against it; but it would clear the ground very much if that issue were distinctly raised, and if the hon. Member would bring in a Bill in reality for preventing the sale of intoxicating liquors on Sunday, and not a Bill which really meant something very different. Up to the present time, in discussing these Bills, they had been talking of one thing and endeavouring to do another. He should not offer any opinion upon the merits of the Bill, but he should like to see that issue brought plainly before the House and the country.

SIR CHARLES W. DILKE said, the hon. Member for Clitheroe (Mr. Assheton) seemed to have forgotten altogether the experience of this country in dealing with the Sunday closing of public-houses. He wished not only to close the public-houses as the Bill proposed to close them, but he wished to go further and exclude even the *bonâ fide* traveller from obtaining refreshment. The hon. Member must have been singularly unobservant of the history of this question if he was not aware that legislation similar to that which he proposed had produced rioting throughout the length and breadth of this country, and had to be repealed within a year, and he (Sir Charles W. Dilke) was confident that a similar result would ensue if the Bill of the hon. Member for Hull should become law, even in a modified form. He (Sir Charles W. Dilke) did not believe that the Bill would receive the assent of the House for the reason he had given; and the proposal of the hon. Member for Clitheroe (Mr. Assheton) would be opposed to the good sense of that House and the wishes of the country, and would certainly lead to the consequences he had described. In 1854 it was proposed to close beerhouses and public-houses during more hours of the day than they had been closed up to that time; and when that proposal went before the country—a proposal for which the opinion of the country was not prepared—there was serious rioting in London and other towns in England, and that legislation was altered within a year from the time it was passed. Mr. Wilson-Patten brought in that Bill; it had the general assent of the House; and yet in 1855—only a year after it was passed—the change of hours had to be put back again almost as before, and Parliament presented the humiliating spectacle of having to undo in the greatest haste what it had done only a year before. He knew it had become a custom not to oppose the introduction of Bills, and he supposed that Members were not prepared to vote against their introduction; but certainly he believed there would be a very strong case for opposing the introduction of the present measure. It did not seem to him, when they knew what the measure was just as well as if it were actually in their hands, that there was any good reason why they should not discuss it and decide upon it at once, instead of allowing it to remain a long time upon the Order Book, and then to discuss it. But if that course were not taken upon the present occasion he thought it would be wise to adopt it in future years, not in regard to this Bill alone, but in regard to many of a similar character. The discussion might just as well take place on the first reading as months afterwards, when the Bill came up for second reading.

Sir HENRY SELWIN-IBBETSON said, he quite agreed with what had fallen from the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), that it might be a wise course on the part of this House to adopt to oppose in future Sessions the first reading of Bills of this kind, which on their face enunciated principles which—even if the House were to pass them—it would be practically impossible or unwise to carry out. But that would not be in accordance with the custom which had recently, within the last few years, crept into the Business of that House, of always allowing a Bill to be introduced and read a first time as a matter of course. That was not, he believed, always the best course. At the same time, he did not feel disposed to oppose the first reading of a Bill of this kind after the Session had begun; because, to his mind, there were many other Bills equally open to the objections which might be taken to this which had already been allowed to be introduced to that House without opposition. For that reason he should not offer any opposition to the introduction of the Bill, however much he was opposed to the principle upon which he imagined it to be based. But he thought the course suggested by the hon. Baronet would be a wise course for that House to adopt on a future occasion, and to come to some resolution that they would allow a Bill which was proposed, and the principle of which the House was not in favour of, being opposed on its first reading.

Mr. LOCKE said, he was very sorry to hear what had fallen from the hon. Baronet opposite (Sir Henry Selwin-Ibbetson), who gave strong reasons why this Bill should not be thought of for an instant, and yet said he was desirous of listening to another debate upon it. [Sir Henry Selwin-Ibbetson: I did not say that.] Well, at any rate, that was the purport of his remarks. Although the hon. Baronet objected to it entirely—and not merely this Bill, but a great many others that had been brought forward—yet he thought they ought to be introduced, or, at any rate, not opposed on their first reading. Now, he (Mr. Locke) could not understand at all why this Bill should be allowed to be brought forward. It seemed to him the most ridiculous thing possible. He was sure that the hon. Gentleman—he did not exactly know who he was—who brought forward the Bill must be aware that on a former occasion a Bill was introduced to take away, he thought, only one hour from the time during which on Sundays people might drink some beer if they chose. Now, what was the consequence? That Bill was referred to a

Committee, and he had the honour of being upon it. The subject was thoroughly inquired into, an immense deal of evidence was taken—he forgot how many weeks or months it extended over—but what was the result they arrived at? It was decided that the Bill should be entirely thrown out, and that not even five minutes' alteration should take place. That was with reference to England; and, therefore, why was it to be supposed that at the present time, when a question of this sort was raised, there should be any difference of opinion to that which previously prevailed? It was extremely inconvenient that these questions should be re-opened year after year. His hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) brought forward his Bill year after year as soon as the House met; but the principle involved in that measure was not half so absurd as that which was now proposed, inasmuch as if a certain majority of persons in a particular district chose to say they would have no drink, it would give them the option of carrying out their wishes. But the present Bill was to this effect—that this House was to come to the determination that no person whatever throughout this land should have the opportunity of having anything to drink on Sunday. He was quite satisfied, and he was sure the great majority of those he was addressing would be of the same opinion, that such a law as that could not be desired by any reasonable person in this country. He really could not understand why, when it was admitted that almost everybody was decidedly opposed to the Bill, it was considered that it ought not to be thrown out on the first reading. It was not necessary for him to do more than say he should oppose the Bill—at least, it was not a Bill yet—and he sincerely hoped everybody else would do the same.

MR. RICHARD SMYTH desired to remind the hon. and learned Member who had just spoken that when a cognate measure, not now unpopular, was before the House with reference to the sister country the hon. Gentlemen who were opposed to that measure had taken every opportunity of voting against it, and he had not the slightest doubt that if they could have effected the object now sought to be enforced of a division on the first reading, it would never have reached its present stage. That Bill was carried on the second reading, because of the discussions which took place upon it in that House. He did not know much of the merits of the Bill now proposed to be introduced, but he thought it would be an extraordinary proceeding if they were prevented from discussing its merits. It might be that, although the second reading might not be carried this year or next, if discussions took place upon it, public opinion would be formed on the subject, and eventually the Bill might become law. The hon. and learned Member for Southwark had spoken of the Committee which sat on this question some years ago, but he seemed to forget that public opinion had made great advances during the intervening period, and it was not to be assumed that because certain antediluvian Committees threw out a similar measure a more modern Assembly would do the same. He trusted the House would extend the usual courtesy to his hon. Friend, and allow him to introduce the Bill.

SIR ANDREW LUSK said, it was always understood that, as a matter of courtesy, when a Member sought to bring in a Bill, he should be permitted to have it read a first time. At present he could not decide for or against the Bill proposed by the hon. Member for Hull. He thought the intentions of the hon. Member were good; and as none of them at present knew what the Bill was to be like, it would be only kind, fair, and according to the rules and custom of that House, that he should be permitted to introduce it. The question whether the rule with regard to the introduction of Bills, which had been in existence a long time, should be altered was a fair subject for discussion, but he hoped it would not be put to the test on this occasion, as it would be a little hard on a private Member.

MR. BERESFORD HOPE said, he believed that, though he was junior in years to the hon. Baronet who had just preceded him, he was his senior as a Member of the House, and he must accordingly explain that in the earlier days of his Parliamentary experience the custom of the House of Commons in regard to the Bills of private Members had been directly contrary to what had been just stated. At the period to which he referred it was a usual and well-understood practice to take a debate on the introduction of a Bill. In those days the Member who brought in a measure made himself acquainted with his own brief. He did not bring in a dummy Bill, and wait to find out how other Members wanted to have it filled up, but in offering his measure he gave a statement as to what he intended it to effect. A discussion ensued, and a division might afterwards be taken. A contrary custom had, however, grown up since then to a considerable extent; but still it was a custom which had many exceptions. He remembered, for instance, of being himself instrumental in the House a few years ago in relieving Mr. Auberon Herbert from the trouble of taking further steps in connection with a Bill which he desired to bring in. It would, he was sure, tend very much to shorten the Session and to make their proceedings really beneficial if they were to revert to the old practice. There was only one fact which it was necessary to mention in order to show to what extent of complication the present system had led the House. That day was the 14th of February, and the Wednesday list was filled up to the 25th of July. That fact alone should surely be quite sufficient to induce the House not to be so kind-hearted as the hon. Member opposite (Sir Andrew Lusk) desired, but to consider their own time and the relative value of the respective measures.

Mr. KNATCHBULL - HUGESSEN had always opposed these restrictions, and could hold out to his hon. Friend no hope of support upon the second reading. But he felt bound to say that he could not join in opposing the introduction of the Bill. He believed the question had not been discussed during the present Parliament; it was one upon which many persons felt strongly, and it would be an act of discourtesy to his hon. Friend, representing as he did a large constituency and desiring to ventilate this important question, if they should refuse him the opportunity of doing so. In the other House of Parliament Bills were introduced as a matter of right, and he did not see why Members of the House of Commons should not, within due bounds, be allowed a similar right.

Mr. ASSHETON CROSS said, the statement which had been made by the hon. Member for the University of Cambridge (Mr. Beresford Hope), that the practice of the House in former years in connection with the introduction of Bills had been different from what it was at present, was undoubtedly correct; and it might be a matter for discussion whether it might not be desirable for the House in another Session to revert to the old practice. His own opinion was that a great many Bills were brought in which had not the slightest chance of becoming law, but which, nevertheless, took up a great deal of time, and whether they ought not to revert to the old practice might be a very fair subject for discussion. This Session pretty nearly 100 Bills had been brought in by private Members, and that perhaps might show the necessity of exercising some discretion in bringing measures forward. But he thought it would be somewhat discourteous, without the slightest notice, to pick this particular Bill out from the 100, and say that it should not be read the first time. There was another reason why the House should object to the course proposed by the hon. Gentleman opposite. He was quite sure that, under the existing circumstances of this being an isolated Bill, picked out for this purpose, a division would not give anything like a general expression of the opinion of the House on the merits of the case. It would probably give an expression of opinion quite the reverse of the feeling of the House as to the merits of the Bill, which would be misleading out of doors. He, for one, should certainly oppose the Bill on its second reading, for reasons which he hoped he should be able to show to the satisfaction of the House. He hoped, therefore, that the Motion would not be pressed, and, at the same time, he hoped the House would take into consideration whether it would not be wise in future to revert to the old practice.

Mr. ASSHETON asked to be allowed to explain a misapprehension under which the hon. Baronet the Member for Chelsea (Sir Charles Dilke), and other hon. Members seemed to be labouring. He had guarded himself expressly against giving any opinion for or against Sunday closing. He merely wished to see the question clearly and distinctly raised, and, in his opinion, that had never been done by any of the Bills before them.

Motion *agreed to.*

Bill to prohibit the Sale of Intoxicating Liquors on Sunday in England and Wales, *ordered* to brought in by Mr. Charles Wilson, Mr. Birley, Mr. M'Arthur, Mr. Osborne Morgan, and Mr. James.

Bill *presented*, and read the first time. [Bill 83.]

PARLIAMENT—ORDER.—DIVISIONS.

Mr. BERESFORD HOPE rose to put a point of Order to Mr. Speaker. He had just been, with some other hon. Members, shut out in the dark, low passage leading to the Lobby during the division. He desired to acknowledge the great comfort and convenience of opening the Lobby in a large, and particularly in a late division. But when the division was comparatively early and small there was another side to the question. The convenience to Members dividing was small, while the inconvenience of cutting off circulation by the way which the architect had provided was cruel and great. During such divisions access to and from the Library was hard, except by the circuitous passage by the Central Hall, St. Stephen's Hall, Westminster Hall, and the Cloisters. He desired to ask Mr. Speaker what was the rule on such occasions?

Mr. SPEAKER said, that the practice of opening the Lobby to Members during a division had prevailed for many years, and, being found convenient, instructions had been given to the Serjeant-at-Arms to open the Lobby to Members during divisions whenever the number of Members in either Lobby exceeded 150. In the division referred to by the hon. Gentleman 260 Members voted, and, consequently, the Serjeant-at-Arms had been justified in opening the Lobby according to the usual practice.

FREE LIBRARIES AND MUSEUMS BILL.

On Motion of Mr. Mundella, Bill to amend the Free Libraries and Museums Acts, *ordered* to be brought in by Mr. Mundella, Sir John Lubbock, Mr. Chamberlain, and Mr. Anderson.

Bill *presented*, and read the first time. [Bill 84.]

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

On Motion of Sir Thomas Chambers, Bill to legalise Marriage with a Deceased Wife's Sister, *ordered* to be brought in by Sir Thomas Chambers, Mr. Morley, Sir Colman O'Loghlen, and Mr. Macdonald.

Bill *presented*, and read the first time. [Bill 85.]

AGRICULTURAL TENEMENTS SECURITY FOR IMPROVEMENTS BILL.

On Motion of Mr. James Barclay, Bill to provide Security to Agricultural Tenants for certain Improvements effected by them on their holdings, *ordered* to be brought in by Mr. James Barclay, Sir George Balfour, and Mr. Earp.

Bill *presented*, and read the first time. [Bill 86.]

PUBLICANS CERTIFICATES (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Publicans Certificates (Scotland) Act, 1876."

Resolution *reported:* — Bill *ordered* to be brought in by Dr. Cameron, Mr. Ramsay, and Mr. Mackintosh.

Bill *presented*, and read the first time. [Bill 87.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, 15*th February*, 1877.

MINUTES.] — Select Committtee — Private Bills, *appointed* and *nominated;* Opposed Private Bills, *appointed* and *nominated;* Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed* and *nominated;* Intemperance, The Lord Hartismere *added.*

PRIVATE BILLS.

Standing Orders Committee on, appointed: The Lords following, with the Chairman of Committees, were named of the Committee:

D. Somerset.
Ld. Chamberlain.
M. Winchester.
M. Lansdowne.
M. Bath.
M. Ailesbury.
E. Devon.
E. Airlie.
E. Carnarvon.
E. Cadogan.
E. Belmore.
E. Chichester.
E. Powis.
E. Verulam.
E. Morley.
E. Stradbroke.
E. Amherst.
E. Sydney.
V. Hawarden.
V. Hutchinson.
V. Hardinge.
V. Eversley.
V. Halifax.
V. Portman.
L. Camoys.
L. Saye and Sele.
L. Balfour of Burley.
L. Colville of Culross.
L. Monson.
L. Ponsonby.
L. Digby.
L. Colchester.
L. Silchester.
L. De Tabley.
L. Skelmersdale.
L. Belper.
L. Ebury.
L. Egerton.
L. Hartismere.
L. Penrhyn.

OPPOSED PRIVATE BILLS.

The Lords following; viz.,

M. Lansdowne.
L. Colville of Culross.
L. Ponsonby.
L. Skelmersdale.

were appointed, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee appointed: The Lords following were named of the Committee:

Ld. Chancellor.
Ld. President.
Ld. Privy Seal.
D. Saint Albans.
Ld. Chamberlain.
M. Lansdowne.
M. Salisbury.
M. Bath.
Ld. Steward.
E. Devon.
E. Doncaster.
E. Tankerville.
E. Carnarvon.
E. Granville.
E. Kimberley.
E. Sydney.
E. Redesdale.
V. Hawarden.
V. Hardinge.
V. Eversley.
L. Colville of Culross.
L. Ponsonby.
L. Colchester.
L. Skelmersdale.
L. Aveland.

PRIVATE BILLS.

Ordered, That this House will not receive any petition for a Private Bill after *Thursday* the 15*th day of March* next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any petition for a Private Bill approved by the Chancery Division of the High Court of Justice after *Friday* the 4*th day of May* next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Friday* the 4*th day of May* next.

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, 15*th February*, 1877.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—Treasury and Exchequer Bills* [88]; Gun Licence Act (1870) Amendment* [89].

Second Reading—Prisons [1]; Prisons (Ireland) [3].

INDIA—THE SALT LAWS.—QUESTION.

MR. POTTER asked the Under Secretary of State for India, If he will lay upon the Table of the House a Return of the convictions and punishments inflicted for breach of the Salt Laws in India during the last year?

LORD GEORGE HAMILTON: In reply to the Question of the hon. Member, I have to state that there is no complete or exact information on this subject in the hands of the Department. We have a Return of the convictions and fines imposed for breaches of the salt laws in Bengal, a Return of the convictions for salt smuggling in Bombay, and a Return of the convictions for breaches of the Customs laws, which principally relate to salt, of the Inland Customs Department of the Government of India, but we have no details on the subject from Madras. A uniform Return will be called for from the Government of India relating to all India, and if the hon. Member will move for it we shall be happy to lay it upon the Table as soon as we receive it.

POST OFFICE—POSTAGE RATES TO INDIA.—QUESTION.

MR. POTTER asked the Postmaster General, If he will state the intention of Government as to the present high rate of Postage between Great Britain and the Empire of India; and, whether India will speedily enjoy the benefit of the International postal system?

LORD JOHN MANNERS, in reply, said, that India was admitted to the benefits of the International postal system on the 1st of July last, and since that date had had the benefit of the union system. In consequence a single letter might now be sent from any part of the United Kingdom to any part of India for 6*d.*, reduced from 9*d.*, *viâ* Southampton, and for 8*d.*, reduced from 1*s.*, *viâ* Brindisi.

TURKEY—ENGLISH OFFICERS IN THE TURKISH SERVICE.—QUESTIONS.

SIR GEORGE CAMPBELL asked the First Lord of the Admiralty, Whether Captain the honourable A. C. Hobart of the Royal Navy, who name was struck off on his entering the Turkish Service in accordance with the rules of the British Service, and who was then employed in subjecting the Christians of Crete, has since, while still in the Turkish Service, been restored to the British Service and permitted to obtain rank and retired pay to which he was not previously entitled; if so, by whom and when he was struck off the Navy List, and by whom and when restored; whether Captain Hobart was placed on the active list before being retired, the amount of his retired pay, from what date it commenced, and whether it has been commuted; what Order in Council or Treasury sanction was obtained authorizing the grant of retired pay to a person who had been out of the public service for several years; and, whether there will be any objection to lay upon the Table the Correspondence between Captain Hobart, the Admiralty, and the Foreign Office with reference to that Officer's removal from and restoration to the Navy, and to any intermediate applications from him; and also whether the calculation of his service for retired pay will be given?

MR. HUNT: In reply to the Question of the hon. Baronet, I have to state that Captain Hobart's name was removed from the list of the Royal Navy in March, 1868, by direction of Mr. Corry, then First Lord of the Admiralty, at the instance of my noble Friend (Lord Derby), then, as now, Secretary of State for Foreign Affairs, for entering the service of a foreign Government without previous permission from Her Majesty's Government. He was restored to the active list, and the same day placed on the retired list—namely, on the 28th of November, 1874, by Order in Council obtained by me at the instance of the Foreign Office. His retired pay, which has not been commuted, commenced from the same day. His retired pay of £1 a-day was calculated on the ordinary basis under Order in Council of 1870. As to whether there is any objection to produce the Correspondence it would be necessary to consult Lord Derby.

SIR GEORGE CAMPBELL asked the Secretary of State for War, Whether, under present circumstances, any measures have been taken or will be taken to prevent Naval or Military Officers holding retired rank, pay, or pension, or obtaining commutation money for pay or pension from entering the Turkish Service, and especially whether there is now anything to prevent an Officer desiring to act contrary to the rules of his own Service, or without the permission of the proper authorities, from commuting retired pay or pension and then entering the Turkish Service, and even engaging in war with an ally of Her Majesty in case that ally should attempt to enforce on the Porte objects which Her Majesty's Government has lately attempted to obtain by remonstrance?

MR. GATHORNE HARDY: In reply to the Question of the hon. Member I have to state that the rules of the Military Service are:—1. No officer on retired or half pay can enter a foreign army without leave, under a penalty of removal from the Army and a loss of emoluments. 2. Officers who commute under present Regulations are no longer in the Army, and Government has therefore no control over their actions. Officers applying to commute are not bound, either by Regulation or Act of Parliament, to give their reasons for wishing to commute, and it is not intended to make any alteration in the Regulations in this respect.

BOARD OF EDUCATION, SCOTLAND.

QUESTION.

DR. CAMERON asked the Lord Advocate, Whether it is the intention of Her Majesty's Government to prolong the existence of the Scottish Board of Education?

THE LORD ADVOCATE: The only reply which I can make at present to the hon. Gentleman is, that the question as to the propriety of continuing the Board of Education in Scotland is receiving the serious consideration of Her Majesty's Government.

DR. CAMERON: I beg to give Notice that, in consequence of the Answer of the hon. and learned Lord Advocate, I shall call the attention of the House to the subject, and move a Resolution.

INTERMEDIATE EDUCATION, IRELAND —LEGISLATION.—QUESTION.

MR. O'SHAUGHNESSY asked the Chief Secretary for Ireland, If it is the intention of the Government to deal with the question of Intermediate Education in Ireland during this Session?

SIR MICHAEL HICKS-BEACH: I am fully aware of the importance of this subject, and how desirable it is that it should be dealt with by the Government and by Parliament. But those who have most studied it know how very full it is of difficulties. I devoted much attention to it last autumn, and have now, in a somewhat advanced stage of preparation, a scheme with regard to it; and, should I obtain the sanction of the Government, I hope with much confidence to be able to submit a measure to Parliament during the present Session.

NATIONAL SCHOOL TEACHERS, IRELAND—PAYMENT BY FEES.

QUESTION.

Mr. O'REILLY asked the Chief Secretary for Ireland, If he will lay upon the Table of the House, a Copy of the new regulations as to the payment of results fees to teachers of National Schools in Ireland?

Sir MICHAEL HICKS-BEACH: If the hon. Member will move for a copy of these Regulations, I do not think there will be any objection to produce them. But, before making any actual promise on the subject, I should like to communicate with the Commissioners of National Education, by whom they were issued.

FACTORY AND WORKSHOPS ACTS—THE CANAL POPULATION.—QUESTION.

Mr. HEYGATE asked the Secretary of State for the Home Department, Whether Her Majesty's Government propose to carry out the recommendation of the Factory and Workshops Acts Commissioners, that—

> "The residence in canal boats of female young persons, and of children above the age of three years, should be forbidden"

by legislation in the present Session?

Mr. ASSHETON CROSS: The subject of the hon. Member's Question deserves consideration, because the floating population of the class to which he refers is at the present moment in a very unsatisfactory position. Too much praise cannot be given to Mr. Smith for his labours in bettering the condition of those persons. Although I agree in the main with the recommendations of the Factory and Workshops Acts Commissioners, I am not prepared to adopt entirely the suggestions made in their Report. It is, however, quite necessary that if persons sleep on board these boats, the boats should be registered in somewhat the same way as lodging-houses are.

COURT OF SESSION, SCOTLAND.

QUESTION.

Mr. J. W. BARCLAY asked the Lord Advocate, Whether his attention has been drawn to a statement of the sittings during a fortnight of the five Lords Ordinary of the Court of Session, published in the "Scotsman" newspaper of 11th December last, showing that for the fortnight one of their Lordships sat altogether for twelve hours, another for fifteen hours, and the average sittings of the whole was about thirty hours each; and whether, with so little business to discharge, he will recommend the Crown to fill up the Judgeship now vacant?

The LORD ADVOCATE: I have to inform the hon. Member for Forfarshire that it is not the intention of the Government to recommend Her Majesty to fill up the Judgeship now vacant, but I hope in a short time to ask the leave of the House to introduce a Bill dealing with the subject. With respect to the former part of the Question, I can only now say that my attention was called to the statement shortly after its publication. I have received other communications, some affirming, others questioning its truth, but I have not thought it necessary to direct any inquiry.

DOUBLE SHERIFFS, SCOTLAND—LEGISLATION.—QUESTION.

Mr. M'LAREN asked the Lord Advocate, Whether Her Majesty's Government are about to take steps for abolishing the double sheriffships in Scotland, and for re-arranging the districts and salaries of the sheriff substitutes, so as to allow to those who may be appointed to the more important and laborious districts increased salaries out of the savings to be effected by the abolition of the double sheriffships?

The LORD ADVOCATE: It is not the intention of Her Majesty's Government at present to deal with the question of double sheriffships in Scotland.

JUDICATURE ACT — SITTINGS IN BANCO.—QUESTION.

MR. SERJEANT SIMON asked Mr. Attorney General, Whether the attention of Her Majesty's Government has been called to the want of accommodation for holding additional Courts, of Judges sitting singly in Banco, as required by the Judicature Amendment Act of last Session; and whether anything is being done to supply the deficiency?

THE ATTORNEY GENERAL: Attention has been called to the fact that there have appeared in the newspapers statements to the effect that complaints had been made by some of the learned Judges that there were no Courts in which they could sit singly under the Act of last year, and that for this reason more Judges were obliged to sit *in Banco* than the Act contemplated. No communication as to the want of accommodation was, however, made to the Lord Chancellor or the Office of Works; but after the commencement of the Hilary Sittings the Lord Chancellor noticed the statements in the newspapers to which I have referred. He at once made inquiries, in conjunction with the Office of Works, with a view to the provision of further accommodation. It was ascertained that every Court in Westminster Hall was fully occupied, and also the Westminster Sessions House; but the Office of Works agreed to have ready on two days' notice two large rooms with retiring rooms at Richmond Terrace, being rooms in which Royal Commissioners had sat, and which would be sufficient for the temporary accommodation of the Judges sitting *in Banco.* The learned Judges were accordingly informed by the Lord Chancellor, at a council of the Judges on the 20th of January, that these rooms would be ready at any time on two days' notice, and further that as the Judge of the Admiralty Court was about to attend at the Judicial Committee of the Privy Council at the hearing of a cause which would occupy about 10 days, the Court in which he usually sat would also be available for that interval. I believe after this communication the Admiralty Court was made use of, but the Judges were enabled to do without the rooms in Richmond Terrace.

THE SLAVE TRADE—ZANZIBAR.

QUESTION.

SIR ROBERT ANSTRUTHER asked the Under Secretary of State for Foreign Affairs, What steps have been taken by Her Majesty's Government to carry out the Resolution of the House of the 4th of April last, which was in the terms following:—

> "That, in the opinion of this House, it is desirable that Her Majesty's Government should invite and assist the Sultan of Zanzibar to take such further steps as may be necessary for the total suppression of the Slave Trade within his dominions, and that at the same time more adequate provision should be made for the care and maintenance of the liberated slaves?"

MR. BOURKE, in reply, said, he was happy to inform the hon. Baronet that no intimation from the Government had been necessary, because the Sultan of Zanzibar had gone far beyond his Treaty engagements. He had not only carried out those engagements, but he had also suppressed slavery altogether in his dominions, and he had stopped the caravans which used to be fitted out for expeditions into the north. Under these circumstances, any intimation from the Government to the Sultan of Zanzibar to continue his efforts in that direction would be inopportune. The Government had had the question of the care and maintenance of liberated slaves under their consideration for some time, and at present they thought it best to send the able-bodied slaves to Natal, while the children of both sexes were handed over from time to time to the missionaries of Zanzibar.

CRIMINAL LAW—CASE OF JOHN HUNT.

QUESTION.

MR. JOSEPH COWEN asked the Secretary of State for the Home Department, If it is correct that a man named John Hunt was three years ago, at the Liverpool Assizes, convicted of a garotte robery in that town and sentenced to ten years' penal servitude and twenty-five lashes with the cat, and that, after having been flogged and having undergone two years' and a half of penal servitude, he has been pardoned, because it has been shown that he was innocent of the offence he was convicted of and punished for; and, if this statement be correct, what recompense the Government propose to make to Hunt for the injustice that has been done to him, the pain and indignity he has suffered, and the loss he has sustained?

Mr. ASSHETON CROSS, in reply, said, he was afraid his hon. Friend was misinformed as to the facts of this case. The prisoner was tried at the Liverpool Assizes, for highway robbery, and was sentenced to penal servitude. A petition was sent to the Home Office on the subject. The defence set up was an *alibi.* The learned Judge who tried the case was strongly of opinion that that *alibi* could not be proved. Latter on another petition was sent to the Home Office to the same effect, and he referred that again to the learned Judge, who was still of the same opinion, and he (Mr. Cross) was bound to say, after the most careful consideration of the case, that he entirely agreed with the learned Judge. But after some time a final petition came on behalf of the man, and on looking at the whole circumstances of the case, at his previous good character, and at his youth—although he was then and now of the same opinion that an *alibi* could not be proved—he thought he might be justified in recommending this man to Her Majesty's clemency, so as to give him a fresh start in life.

ARMY—COURTS MARTIAL—LEGISLATION.—QUESTION.

Sir COLMAN O'LOGHLEN asked the Judge Advocate, If it be his intention, or the intention of Her Majesty's Government, to introduce this Session any measure to carry out the recommendations made by the Court Martial Commission in 1869 for amending and improving the constitution and practice of Courts Martial in the Army?

Mr. CAVENDISH BENTINCK: A measure relating to the subject has been under the consideration of the Government; but at this moment I am not able to say whether it can be submitted to Parliament during the present Session.

EDUCATIONAL ENDOWMENTS, SCOTLAND—LEGISLATION.—QUESTION.

Sir EDWARD COLEBROKE asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce any Bill in the present Session with reference to existing Educational Endowments in Scotland?

Mr. ASSHETON CROSS, in reply, said, he quite admitted the importance of the subject, which had had the attention of the Government and of the Lord Advocate a long time; and although a Bill might not be introduced in the present Session, it was certainly a matter that could not be put off.

MERCHANT SHIPPING ACTS—LEGISLATION.—QUESTION.

Mr. GORST asked the President of the Board of Trade, When it is the intention of Her Majesty's Government, in fulfilment of the promise made last Session, to introduce a Bill to amend the "discipline sections" of the existing Merchant Shipping Acts?

Sir CHARLES ADDERLEY, in reply, said, it was his intention shortly to ask leave to introduce a Bill on the subject of Seamen's Discipline.

ARMY—2nd BATTALION, 19th FOOT.
QUESTION.

Sir CHARLES RUSSELL asked the Secretary of State for War, Whether his attention has been called to a letter which appeared in the "Standard" newspaper of the 22nd January, signed "How to spoil a Regiment," and also to a leading article in the same newspaper of the 24th ultimo founded on the previous letter; and whether he can state if there is any truth in the allegations therein contained against a distinguished Regiment of Her Majesty's service?

Mr. GATHORNE HARDY: Yes; both my attention and that of His Royal Highness the Commander-in-Chief has been called to the letter and article in question, and it being evident that they referred to the 2nd Battalion, 19th Foot, the General Officer commanding at Portsmouth (Sir Hastings Doyle) was ordered by His Royal Highness to inquire into the matter. This he did most fully, and in submitting Colonel Chippindall's explanation reported

> "that this distinguished officer had most ably defended himself against the vile aspersions which had been cast against his character as a commanding officer."

His Royal Highness, after a full consideration of the circumstances, caused Sir Hastings Doyle to be informed

> "that he entirely agreed with him that Colonel Chippindall had most completely and conclusively disproved the whole of the scandalous accusations which were made against him,"

and desired that this should be communicated to Colonel Chippindall.

GRAND JURY LAWS, IRELAND—LEGISLATION.—QUESTION.

THE O'CONOR DON asked the Chief Secretary for Ireland, Whether the Government intend to bring in any Bill this Session dealing with the Grand Jury Laws in Ireland?

SIR MICHAEL HICKS-BEACH: I believe there is a desire on both sides of the House for some legislation on this subject; but judging from past debates, I think there is a marked difference of opinion as to what that legislation should be. I would remind the hon. Member that there are already before the House three Irish measures of first-class importance introduced by Her Majesty's Government; and until some progress has been made with them I certainly could not promise to undertake a Bill on such a subject as Grand Jury reform.

SUEZ CANAL—ANNUAL PAPERS.

QUESTION.

SIR H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer. Whether Her Majesty's Government will lay upon the Table the Report of the Directors, and that of the general meeting held in January, of the Suez Canal Company, and also the Reports received by Her Majesty's Government from the English official Directors of the Company?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he thought it would be a most convenient course to lay annually before Parliament such Reports connected with the proceedings of the Suez Canal Company as could properly be laid before Parliament. There were some communications of a confidential nature between the English directors and Her Majesty's Government; but such Reports as could be properly laid before Parliament would be.

ARMY PROMOTION AND RETIREMENT.

QUESTION.

MR. OWEN LEWIS asked the Secretary of State for War, If it is the intention of Her Majesty's Government to carry into effect the recommendations of the Commission on Army Promotion and Retirement; and, if so, what steps they intend to take for the purpose, and when?

MR. GATHORNE HARDY: Since the Commission has reported—and I am not surprised that they have taken a long time in coming to their Report—I have been carefully considering the whole question connected with promotion and retirement. Great progress has been made with a plan on the subject; but I have not yet been able to submit it to the Treasury or the Government. Without pledging myself to details, I may say that the plan will proceed generally on the lines recommended by the Commission.

MR. OWEN LEWIS: When will it be brought forward?

MR. GATHORNE HARDY: That is exactly my difficulty. It will soon be in a shape to be put before the Treasury, but I cannot say how long it will remain there.

TURKEY—THE GREEK SUBJECTS.

QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether the following information (regarding proceedings at Athens of our two Plenipotentiaries), contained in the "Times" of February 13th, is correct: viz.—

> "Sir Henry Elliot, confining his political visits to the members of the present Ministry, endeavoured, as formerly, to prove the wisdom of inaction on the part of the Greek subjects of Turkey, and maintained that the kingdom is bound by international obligations to refrain from fomenting discontent and aiding insurrection among them. Lord Salisbury, whose sympathies seemed to differ essentially from those of his late colleague at the Conference, spoke to the chief men of all parties in favour of the aspirations of the Greeks, admitting the right of those still under Turkey to regain, when possible, their natural liberty, and of their fellow-countrymen to aid them in so doing;"

and, whether Her Majesty's Government authorized Lord Salisbury to assert such principles?

THE CHANCELLOR OF THE EXCHEQUER: It is true that Lord Salisbury and Sir Henry Elliot, on their return from Constantinople, stopped at Athens, but that was for their own convenience, and not under any instructions from Her Majesty's Government. Neither had they any instructions as to any language they were to hold there, and Her Majesty's Government have no official cognizance of any private conversation which may have occurred. But I have no objection to state to the House that Lord Salisbury has told me, as a private friend, that the statement with regard to himself is wholly untrue.

TRIAL OF ELECTION PETITIONS—LEGISLATION.—QUESTION.

Mr. Serjeant SIMON asked Mr. Attorney General, Whether it is the intention of Her Majesty's Government this Session to introduce a Bill for the purpose of giving effect to the recommendations of the Select Committee of 1875 respecting the tribunals for the trial of Election Petitions, and the amendment of the Law relating to Corrupt Practices at Parliamentary Elections?

The ATTORNEY GENERAL: I beg to state that it is the intention of the Government to introduce such a Bill, and that it will give effect to some of the recommendations of the Select Committee of 1875.

THE ARCTIC EXPEDITION—OUTBREAK OF SCURVY.—QUESTION.

Dr. WARD asked the First Lord of the Admiralty, Whether an inquiry has been ordered into the outbreak of scurvy among the crews of H.M.S. "Alert" and "Discovery" during the recent expedition to the North Pole; and, if so, whether he will lay the Report upon the Table of the House?

Mr. HUNT: Yes, I have appointed a Committee to inquire into the cause of this outbreak of scurvy. The Committee has made very considerable progress in its labours, and I hope before long it will make its Report. I shall be happy to lay both the Report and the evidence on the Table when I have received them.

CRIMINAL LAW—THE ESCAPED FENIAN CONVICTS.—QUESTION.

Mr. GOLDSMID asked Mr. Chancellor of the Exchequer, What action has been taken by the Government in consequence of the escape of Fenian convicts from Freemantle, Western Australia, in the American ship "Catalpa," which it is reported was sent expressly for the purpose of receiving the said convicts?

The CHANCELLOR of the EXCHEQUER: It has not been deemed expedient to take any action in the matter referred to, beyond making a strict inquiry into it, and a revision of the local arrangements under which the escape of the convicts occurred.

MAGISTRATES, IRELAND—DEBTORS ACT—REMOVAL OF MR. W. J. DEVLIN.

QUESTION.

Mr. DICKSON asked the Chief Secretary for Ireland, Whether any steps have been taken to cancel the Commission of the Peace issued to Mr. William James Devlin, of Cookstown, a few days previous to the disappearance of that gentleman, on account of his bankruptcy; or whether, in case of his return, he will still be entitled to sit on the Bench as one of Her Majesty's Justices of the Peace for county Tyrone?

Sir MICHAEL HICKS-BEACH: The Lord Chancellor of Ireland, with whom these matters rest, informs me that Section 21 of the Debtors (Ireland) Act, 1872, renders a justice of the peace who has been adjudged bankrupt incapable of acting as such until he has been newly assigned. He adds, however, that he has superseded Mr. Devlin in the commission of the peace.

METROPOLIS—HYDE PARK, ROTTEN ROW.—QUESTION.

Mr. LOCKE asked the First Commissioner of Works, Whether he considers it necessary to provide accommodation for equestrians in Hyde Park during the winter months, and whether care will be taken in future to prevent Rotten Row being closed during the winter; and, if he can say how long it will be before the rides in Hyde Park are in a fit and safe state for riding?

Mr. GERARD NOEL: Sir, I think it most important that accommodation should be provided for equestrians in Hyde Park during the winter months. I can assure the House that everything has been done by the Department to hurry on the works as quickly as possible; but we have had two difficulties to contend with—the unprecedented amount of wet, and also the impossibility of obtaining sufficient and proper material for the foundation. The contractors were bound by their contract to put the upper part of Rotten Row, which had not yet been re-made, into good condition. This has been done; it was opened last Monday, and I trust the public will have no cause for complaint. With regard to the upper part of the Ride adjacent to Kensington Gardens, and opposite the late Knightsbridge Barracks, every exertion has been made to keep it in proper order during the winter; but, as the hon. Member knows, the foundation is defective, in many places there is nothing but mud and sand, and the more you meddled with it during the wet weather the worse it became; but lately I have ordered that part of the Ride to be thoroughly overhauled, the bad places mended, good material to be put down and covered with gravel, and I hope to be able to keep it safe and in good condition during the summer. I regret exceedingly that my hon. Friend and the public have been deprived of their accustomed rides during the last few months; but it was decided that Rotten Row should be re-made; it was essential, therefore, to shut it up. I thought it better to close it during the autumn and early winter months, as I well know the censure which would have been passed upon me by the hon. Member for Southwark and my Friends behind me if I had left Rotten Row open during the autumn and put a barrier across the ride on the 8th of February. I hope before the end of this year to have Rotten Row and the Ride in thorough good condition, and to maintain it in good condition.

TURKEY—THE CONFERENCE—WITHDRAWAL OF THE AMBASSADORS.

QUESTIONS.

SIR WILLIAM HARCOURT asked Mr. Chancellor of the Exchequer, referring to the despatch of Lord Derby to the Marquess of Salisbury and Sir Henry Elliot, of the date of Jan. 19, 1877, stating that—

> "Musurus Pasha endeavoured to argue that the rejection of the proposals of the Powers need not entail the departure of the Ambassadors from Constantinople; but I declined to enter into this question, as I said the course to be followed had been settled some time since and had been formally announced to the Porte;"

Whether there are any Papers showing such formal announcement to the Porte other than the Eighth Protocol of Jan. 15, 1877; and, if so, whether he will lay such Papers upon the Table; whether the simultaneous withdrawal of the Ambassadors from Constantinople was determined upon in concert by the six guaranteeing Powers; and, whether he will lay upon the Table any Papers relating to such concert and agreement amongst the Powers; whether it was intended by Her Majesty's Government that any different meaning should be attached to the departure of Sir Henry Elliot from Constantinople from that which was given in the Protocol of Jan. 15 to the withdrawal of the Ambassadors of Austria, Russia, Italy, Germany, and France; and if so, whether the intention to make such distinction was previously communicated to the Porte and the five Powers; and, whether Sir Henry Elliot left Constantinople on ordinary leave, or whether he was directed by Her Majesty's Government to depart in consequence of the rejection of the proposals of the Six Powers by the Porte, and in order to show displeasure on the part of England in like manner as in the case of the threatened withdrawal of Sir Henry Elliot on October 5th, as explained in the Despatch of Lord Derby to Lord Odo Russell of October 16th 1876?

THE CHANCELLOR OF THE EXCHEQUER: The answer, in brief, to the Questions of the hon. and learned Gentleman is that there are no Papers upon any of those points beyond what are contained in the Blue Books. With regard to the first Question, the hon. and learned Gentleman asked whether there are any Papers with reference to the formal announcement to the Porte of the course which Sir Henry Elliot was to follow. The communication was made to Lord Salisbury, with a view to its communication to Sir Henry Elliot, by telegraphic despatch of December 22, and that was the foundation of the communication which was afterwards formally made to the Porte at the sitting of the eighth meeting of the Conference. That had occurred before the conversation between Lord Derby and Musurus Pasha, on the 19th of January. There are no other Papers on the subject. With regard to the withdrawal of the Ambassadors from Constantinople, the hon. and learned Gentleman will see by looking at the different despatches in the Blue Book the exact course that was followed. The question, in the first instance, was put by Lord Salisbury on, I think, the 17th of December. He had his Instructions given to him on the 22nd of December, and then there were those proceedings at the Conference. With respect to the Question, whether it was intended by Her Majesty's Government that any different meaning should be attached to the departure of Sir Henry Elliot from Constantinople from that which was to be attached to the withdrawal of the Ambassadors of the other Powers, I can only say that there is no indication in the record of any intention to make such a distinction, and that the Instructions given and the intention manifested by the withdrawal of the Ambassadors will be gathered from what occurred in the Conference. The Instructions given to Sir Henry Elliot were those which are contained in the telegram to Lord Salisbury—that is to say, that he was to come to England and report upon the situation. That is the answer to the hon. and learned Gentleman's last Question. Sir Henry Elliot did not leave Constantinople on ordinary leave, because he was desired to come to England and report on the situation. Neither was he desired to depart from Constantinople in order to show the displeasure of England in like manner as in the case of his threatened withdrawance on the 6th of October, the circumstances being quite different from what they were at the time the Instructions were given to him when the subject of the armistice was under consideration. The whole of the information will be found in the Papers.

MALTA—CIVIL AND MILITARY GOVERNORS.—QUESTION.

Mr. ANDERSON asked the Under Secretary of State for the Colonies, Whether, since the question came up last year, Her Majesty's Government have further considered the expediency of dividing the Governorship of Malta on the expiry of the present appointment, and having in future a Military Governor paid for by Britain, and a Civil Governor paid for by Malta, each at a moderate salary, instead of a single highly paid Military Governor as at present?

Mr. J. LOWTHER: In the opinion of Her Majesty's Government such an arrangement as that referred to by the hon. Gentleman would probably lead to an undesirable conflict of authority which in a fortress should be centred in one person, and that person should be the officer in chief command of the troops. The facilities of communication between Malta and England, the presence of able and experienced Civil officers, and the attention given by the Secretary of State to all matters of interest to the community are sufficient, in the opinion of Her Majesty's Government, to prevent the existence under the present system of any inconveniences which cannot be promptly remedied.

THE ARCTIC EXPEDITION — DOUBLE TIME.—QUESTION.

Captain PIM, asked the First Lord of the Admiralty, Whether the officers or men, or both of the late Arctic Expedition have been granted double time as well as double pay during their period of service?

Mr. HUNT, in reply, said, that neither the officers nor the men had been granted double time.

VACCINATION — DEATHS FROM ERYSIPELAS.—QUESTION.

Mr. WETHERED, asked the Secretary of State for the Home Department, Whether the Government has received information of the deaths of six children at or near Gainsborough from erysipelas consequent upon vaccination which had been performed by the appointed officer with lymph derived from the arm of a child vaccinated by such officer with "points" supplied to him by the National Vaccine Establishment; whether they have heard of other cases of severe erysipelas having occurred in the same district in the same way; and, what steps the Government have taken or will take in the matter?

Mr. SCLATER-BOOTH: The Government have received information, I am sorry to say, of the death of the children mentioned in the hon. Gentleman's Question, and I have caused a careful investigation of the circumstances of the cases to be made by Mr. Netten Radcliffe, one of the Inspectors of the Local Government Board. It is true that the children were vaccinated with lymph taken from a child which had been vaccinated from points supplied by the National Vaccine Establishment, but no symptons of erysipelas appeared in that child, and it appears certain that the lymph furnished by it did not convey any infection of erysipelas. Moreover, there is no reason to suppose that the infection in any of the cases can be attributed to the lymph which was used. There have been other cases of erysipelas in the district, some of them following, others entirely disconnected with vaccination. The whole of the facts are fully detailed in Mr. Radcliffe's exhaustive Report, which I propose to lay on the Table of the House.

ARMY MEDICAL DEPARTMENT — APPOINTMENTS.—QUESTION.

MR. DUNBAR, asked the Secretary of State for War, How many candidates have presented themselves at the examination now going on for admission to the Army Medical Department; whether it had been annonnced that fifty appointments would be offered for competition; and whether he is aware that fifty candidates have presented themselves for the twenty-seventh appointments in the Indian Medical Department offered for competition?

MR. GATHORNE HARDY, in reply, said, that while 23 candidates had presented themselves for the 50 appointments offered in the Army Medical Department, 49 candidates had offered themselves for 27 appointments in the same branch of the Indian Service.

FOREST OF DEAN—LEGISLATION.

QUESTION.

MR. MONK, asked the Secretary to the Treasury, Whether it is the intention of Her Majesty's Government to introduce a Bill this Session with reference to the Crown Lands in the Forest of Dean?

MR. W. H. SMITH, in reply, said, he hoped shortly to introduce such a Bill.

NAVY—H.M.S. "THUNDERER."

QUESTION.

MR. SEELY asked the First Lord of the Admiralty, Whether the Committee of scientific gentlemen appointed, in July last, by the Admiralty and the contractors for the engines and boilers of H.M.S. "Thunderer" to investigate the causes of the explosion on board that vessel, have made their Report; and, if so, whether he will lay it upon the Table of the House?

MR. HUNT: No such Committee as is referred to in the Question of the hon. Member was appointed by the Admiralty and by the contractors for the machinery of the *Thunderer*. The Engineer-in-Chief of the Admiralty, two Engineer officers, three members of the Boiler Committee, and Mr. Bramwell, a civil engineer of eminence, received instructions from the Admiralty to examine the exploded boiler and the stokehold, and to hold themselves in readiness to give evidence before the Coroner at the inquest. Of these gentlemen, Mr. Bramwell alone was examined by the Coroner; but it was understood that he expressed the opinion of all the experts who were associated with him in the investigation. The whole of the evidence was taken down by a shorthand writer employed by the Admiralty.

TURKEY—CHRISTIANS IN TURKEY.

QUESTION.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether the Foreign Office possesses any Reports from Consuls in Turkey stating the grievances of the Christian subjects of the Porte of a date later than 1867; and, if so, whether the Government will produce them?

MR. BOURKE, in reply, said, that there were several Reports on the subject which the Government had no objection to produce, though some time would necessarily elapse before they could be laid on the Table.

TURKEY—THE BULGARIAN INSURRECTION. — QUESTION.

MR. GLADSTONE: On Tuesday the hon. Gentleman (Mr. Bourke) was good enough to undertake to inquire whether it would be possible for the Government, who can do it much better than a private Member, to extract from the Blue Books a Return, so far as the information at their command enables them to make one, of the sentences pronounced and executed upon persons concerned in the Bulgarian rising and upon the persons concerned in the suppression of that rising. I wish to ask, Whether he can give me an answer on that point?

Mr. BOURKE: I have to state that from the information we have in the Office I shall not, I am afraid, be able to give the right hon. Gentleman much more information than I gave him the other day; but, seeing the desire for further particulars, I thought it right to ask permission of the Secretary of State to telegraph to Constantinople on the subject. We have telegraphed to Constantinople, sending a copy of the Notice given by the right hon. Gentleman, and I hope we shall be able to obtain the information he requires in the most complete form.

ZANZIBAR—INLAND ROUTES.

QUESTION.

Mr. WHALLEY asked the Under Secretary of State for Foreign Affairs, with reference to the relations between our Government and the Sultan of Zanzibar, Whether his attention had been called to a letter which has appeared in the public journals from His Highness the Sultan, and read by Dr. Badger at a meeting of the Society of Arts, on the occasion of Commander Cameron's lecture last month, expressing his, the Sultan's wish to co-operate in the construction of a road from the coast to the interior, and offering all the assistance in his power for the maintenance and use of such road through his dominions; and whether, in the event of such work being taken in hand by private enterprize, Her Majesty's Government would be prepared to recognise and support such effort, either by the grant of a Royal Charter or otherwise?

Mr. BOURKE, in reply, said, that while the Government were desirous of seeing communication opened up between the coast of Zanzibar and the interior, they did not think it expedient to give their support to any particular scheme of that nature.

TURKISH ATROCITIES—CONSUL FREEMAN'S DESPATCH.—QUESTIONS.

Mr. HENRY SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether he has any objection to supplement the Papers on Turkey already issued by laying upon the Table Consul Freeman's Despatch to Lord Derby, dated as early as March 17th 1876, mentioned by Sir Henry Elliot in his Despatch to Lord Derby of November 23rd 1876, which Sir Henry Elliot, according to that Despatch, upon April 3rd 1876, instructed Mr. Sandison to communicate to Raschid Pasha, with the remark that—

> "When authentic accounts of such abominations were received in Europe, they must excite the indignation of the civilized world, and no surprise need be felt if public sympathy were upon the side of those who struggled to free themselves from a Government under which they were exposed to treatment such as described."

The hon. Member also asked the Under Secretary of State for Foreign Affairs to explain why that Despatch, having been received very early in the Spring of 1876, had not been included in the Blue Book just issued?

Mr. BOURKE, in reply, said, that there was no objection under ordinary circumstances to lay these despatches on the Table of the House. The despatch would have been laid before the House last year, but that it was thought right at that time to withhold it, until the Turkish Government had had an opportunity of giving such explanation as they could with regard to the alleged atrocious outrages. When the Blue Books were being prepared this year, amongst the mass of Papers before the gentlemen who prepared them, this despatch, which related altogether to a different series, was omitted by mistake.

PRISONS BILL.—[Bill 1.]

(*Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Assheton Cross.*)

Mr. RYLANDS, in moving that the Bill be read a second time that day six months, complained that the House was asked to adopt a measure entailing a large additional expenditure, at a time when the Revenue was declining, and the expenditure in every Department was increasing. The Estimates for the Civil Services, which had just been presented, showed an increase of not less than £400,000, and he supposed that the demands for the Army and Navy would be upon a larger scale than last year. Under those circumstances he thought the introduction of the Bill most inopportune; and if it were urged that the additional charge would not be felt during the present year, that formed a most objectionable feature of the case, and was merely the common argument of the spendthrift, who put off the evil day and justified his extravagance by the hope that something might turn up before he was called upon to meet his engagements. The measure before the House was, in its material particulars, the same as that introduced last Session. There were, however, two alterations to which he wished to call attention. The first had reference to the arrangements proposed to be made with prison authorities in connection with the disposal of the gaols, and although the new terms were more equitable, he feared that there were still cases in which considerable injustice would be done, and he thought that if the Bill were read a second time it should be referred to a Select Committee, who could receive evidence from different localities with a view of preventing any injustice. The other alteration in the Bill had reference to the position of the visiting justices, and was no doubt intended by the right hon. Gentleman the Home Secretary as a sop thrown out to them. It was, however, a mere shadow of authority that was given to them, and it would make little difference in the working of the Bill whether the visiting justices were controlled by a Government Inspector, or by an Assistant Commissioner of Prisons. The Bill also confided to the justices, under certain conditions to be fixed by the right hon. Gentleman, and subject to his control, over every appointment, the nomination of subordinate officers of prisons, but it did not leave them dependent on the same authority after their appointment. It was humiliating to magistrates for the right hon. Gentleman to suppose that they could be gratified by any such pretence of maintaining their position. Either the whole authority over these officers should be left to the magistrates, or it should be taken over by the Government. Any middle course was objectionable. and he hoped that the clause would be struck out of the Bill, so that there could be no mistake as to the intention of the central authority acting through its own agency, and taking upon itself the whole responsibility. That was, in fact, the great object of the Bill. It was a sweeping measure, and was practically a Bill for the disestablishment of local prison authorities. There would not have been a chance of its success but for the existence of two great influences in its favour. One of these was the desire of Government officials to get as much power and patronage as possible. For many years past there had been a constant advance in the direction of centralization and of interference with the independent action of local authorities. He did not charge his right hon. Friend the Home Secretary with any wish to increase his own patronage; but he thought he might fairly say that a change had come over the right hon. Gentleman since he entered office, and that he had lost the healthy independent spirit which marked him as a county magistrate, and was now mainly inspired by the *genius loci* of the Home Office. It was in fact the permanent officials who were at the bottom of this conspiracy against the exercise of local authority. These spending servants of the Crown formed a great army, and as was once remarked by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), they were always awake to their own interests; and whenever public opinion slept they took advantage of the opportunity of increasing the flow of promotion by the creation of new offices, and by advances in the rates of pay. They constituted, in fact, a great trades union, and every year were increasing in numbers and in influence. The cost of Government Boards and Establishments was already enormous. Let hon. Gentlemen glance over the pages of the Civil Service Estimates, and they would find under Class II., long lists of Commissioners, Assistant Commissioners, Secretaries, Assistant Secretaries, Inspectors, sub-Inspectors, assistant Inspectors, Clerks, Law Officers, and a whole host of other officials. In one Department alone—the Local Government Board—the expenditure for salaries, &c., amounted to £715,000, or nearly three-quarters of a million a-year. In fact they were rapidly creating a net work of officialism throughout the country, so that the time seemed rapidly approaching when every householder would have a policeman at his front door, and an inspector in his backyard. It was this policy of centralization and officialism that supplied the reason why the Bill found such favour on the Treasury Bench, and the other great inducement in its support was the bribe held out of the relief to local burdens. That was, however, a narrow and short-sighted policy. If the local taxpayer wished to get relief from those burdens, he would find himself mistaken if he supposed it was to be obtained by means of such proposals as that under discussion. The truth was, that local expenditure, notwithstanding Government subventions, was increasing, and these grants from the State would, in his opinion, tend to foster that increase by withdrawing from local authorities the motives for economy, or for taking an interest in the management of local affairs. The only effective method of keeping down local expenditure was to appoint county boards elected by the ratepayers; but if they continued to go in the direction of the present Bill, they would soon leave nothing for county boards to do. But for the desire of centralization on the one hand, and the claims for relief of local taxation on the other, he believed that the pleas put forward in support of the Bill would not be listened to for a moment, as they were hollow and would not bear examination. What were those pleas? The hon. Baronet the Member for South Devonshire (Sir Massey Lopes), stated them last year in the following words. He said:—

> "The main evils under the existing system which the present measure sought to put an end to were the want of uniformity of the management of our gaols, the excessive number of those establishments, and the extravagant cost at which they are kept up."—[3 *Hansard*, ccxxx. 287.]

The right hon. Gentleman the Home Secretary took the same line, and in the discussion last year instanced the case of two or three small gaols—Tiverton and others—of which the cost of management appeared so heavy, that they had been quoted in the papers ever since as conclusive in favour of the Bill. But, in fact, the entire cost of these small gaols was a mere bagatelle. In England and Wales there were 17 of the smallest prisons containing less than 20 prisoners in each, and the total cost of all these small gaols, including Tiverton and the rest, was only £9,000 a-year, and yet it was on account of so trifling an outlay that the House was asked to make what practically amounted to a revolution in prison management. Besides these small gaols might be abolished, if deemed expedient, without the slightest difficulty; in the same way that 14 small prisons were discontinued under the Act of 1865, so that the argument in favour of the Bill drawn from that source was little more than a hollow pretence. What the House ought to look at was the annual average cost of the local prisons throughout the country, and that at the present time, even including the small gaols, did not amount to more than £27 per prisoner, which could not be considered under all the circumstances an unreasonable sum. But then it was alleged that the difference of treatment in gaols with regard to diet and the regulations as to hard labour were so great that some such change as that proposed was absolutely necessary. In support of that view the hon. Member for South Derbyshire (Mr. Evans) told a graphic story last year which naturally attracted attention. He said that an old offender stole some fowls near the boundary of the counties of Leicester and Derby, and, having cooked one of the fowls at a furnace, ate half of it and fell asleep. The next morning a policeman found him fast asleep with the remains of the spoil scattered round him, and on apprehending him the man rubbed his eyes, and the very first words he said were—"Do tell me in what county I am? In Leicestershire or Derbyshire?" "In Derbyshire, to be sure," said the constable. The man instantly replied, "Thank God for that." Now that story from internal evidence might safely be taken as an apocryphal one and was probably a *canard* which had been set flying in Derbyshire for some purpose or other, and had not only been accepted by the hon. Member as perfectly reliable, but had been repeated in various forms in the Press until a few days ago it was made use of as a serious argument in favour of the Bill. *The Times* remarked that—

> "The difference inflicted in the various gaols involves an uncertainty respecting the penalties attached to criminal offences which most mischievously diminished the different effect of the law. Men have been known even to calculate in which county it was safest to run the risk of committing an offence, and have been heard to express satisfaction that they had been arrested in one county rather than another."

As a matter of fact, there was not that great difference between the discipline and punishment of Derby and Leicester gaols, and if there were it would not need so improbable a story to prove it, as every year there were Reports of Inspectors of prisons presented to the Home Office and laid before Parliament, giving minute details of the treatment of prisoners both as regarded discipline and diet. A reference to the Inspectors' Reports of last year would show that in Derby Gaol prisoners for 7, 14, and 21 days after conviction, had to lie upon plank beds, which were punitive instruments, whilst in Leicester Gaol they enjoyed the use of mattrasses. In Derby Gaol prisoners worked 9½ hours on the treadmill, and in Leicester only 5 to 8 hours. In both prisons the diet was very similar, but the punishment of dark and solitary cells appeared to be more frequent in Derby than in Leicester, so that if the "old offender" really did thank God for being taken to Derby instead of Leicester, he must have had peculiar notions of prison comforts, or have thanked God for very small mercies. No doubt there were irregularities in prison discipline, to a more limited extent, however, than was alleged in favour of the Bill, but whose fault was it? Clearly, the right hon. Gentleman the Home Secretary was as much to blame as the magistrates. Under the Act of 1865 it was provided that no rules for the diet of prisoners, or regulations in respect of hard labour, could be put in force without the express sanction of the Secretary of State. He had further the power of compelling the magistrates to submit to his decision in reference to prison regulations by withholding the Government grant from any prison in default. The right hon. Gentleman admitted in his speech last year that "great differences had escaped the notice of the Secretary of State," and yet on account of these differences in prison regulations for which the Home Secretary was responsible, and which he had already the power to remove, they were urged to sweep away the local authorities, but it would be more just if the sweeping away commenced in the Home Office. A great plea put forward by the right hon. Gentleman in favour of the Bill was economy, and he assumed that he would save £50,000 a-year in the present cost of prisons, and that he would gain an additional £50,000 a-year from the earnings of prisoners. In entertaining any such hope he (Mr. Rylands), after carefully considering the question, was convinced that the right hon. Gentleman laboured under a perfect delusion. The expectation of economical management was entirely contrary to the experience of other Government establishments and even of Government prisons. In calculating upon saving a considerable amount in building and repairs by the closing of 50 gaols, the right hon. Gentleman had not considered how much he would have to spend in enlarging prisons and in building new ones. As soon as the prisons had been taken over, there would be a marvellous pressure put upon Government to induce them to spend money, and the alteration and repairs of prisons would lead to an enormous increase in the Civil Service Estimates. The 12 convict prisons under Government now cost in alterations and repairs alone, from £25,000 to £35,000 a-year; and during the last 10 years, under those heads, no less than £300,000 had been expended. If the Bill became law, there would be a large addition to the charge for superannuation—there would be five Prison Commissioners, several additional Inspectors and a large number of subordinate officers all over the country appointed, whose salaries would amount in the aggregate to no inconsiderable sum. Nor was the experience of the cost of management of Government prisons at all encouraging. The contrast between the average cost in county and borough gaols weighted with all the disadvantage of the smaller prisons which might be discontinued, and the cost of the convict prisons was remarkable. The average cost in local prisons was £27 per head, whilst that in convict prisons was £33 per head. In the Lancashire prisons the cost was only £17 per head, or about half the cost of

Government management, which was held to be so economical. In the convict prison at Borstall, the expenditure amounted to £45 15*s.* per head. The calculations of the Home Secretary with respect to his obtaining an additional £50,000 a-year from prisoners' earnings were equally delusive. He appeared to think that because in Pentonville, the prisoners earned an average of £9 a-year, he could bring up the general run of prisoners to the same standard. But he entirely overlooked the fact that in Pentonville and the other convict prisons, the inmates were sentenced for long periods from 5 to 25 years, and consequently modes of employment could be found for them that might be profitable; but this, of course, could not be done in the local prisons, where most of the prisoners had only to serve short sentences. He believed, indeed, he was under the mark in saying that nine-tenths of the inmates of local gaols were prisoners who had been committed for terms of three months and under. It was therefore impossible to render their labour profitable except to a limited extent. Under all these circumstances, he thought he was justified in saying that instead of there being a saving of £100,000 a-year under the Bill, by the reduction of prison expenditure from £400,000 to £300,000, it was more likely that the taxpayers in a short time would be called upon to pay £500,000 or £600,000 a-year. But where was this policy to end? The claim for relief from local burdens would not be stopped by the sop given by this Bill. Probably the next demand would be that a further sum should be granted to pay the police, and the Government would yield to such demand on the condition of the police being placed under State control. The final result would be that not a single Department would be left for the local patriotism, and the local public spirit of men who were anxious to serve their country in their respective localities. Thus by gradual steps, one of the chief elements of the progress, the prosperity, and the power of Great Britain would be withdrawn, and a Conservative Government would have been a main instrument in the destruction of institutions which had so largely contributed to the welfare of the nation. In conclusion, the hon. Member moved the rejection of the Bill.

MR. HOPWOOD, in seconding the Amendment, expressed his belief that the measure would be fatal to the institutions of the country. The ratepayers in the different localities might be supposed to consist of rich and poor together; whereas those who paid the income tax were mostly rich people, especially since the last exemptions were made by the Chancellor of the Exchequer. Therefore, burdens would be taken off those who were of the poorer sort and put upon the wealthy in the land. This was as near an approach to Communism, taught by a Conservative Government, as any lapse in political economy they had ever committed. Of course, they had heard a great deal of the principles of political economy as applied to the matter with which the Bill dealt; but how could these principles operate when the measure would, as one result of its operation, take away from the various localities all incentive to true economy? He could not but foresee much danger in the future from the fact that the Government had the power of creating an army of officials—a fact, which at a moment when the existence of a Government was endangered, would enable its members to exercise an undue, and it might be, a pernicious influence throughout the country. And he would ask, had not the right hon. Gentleman the Home Secretary heard any murmurs from behind him as to the manner in which the county magistracy were treated by the Bill? Had no such murmurs reached him from Lancashire—that representative county which had given him his start in official life? What the right hon. Gentleman ought to have done was to have given to the counties power to consolidate their institutions. Had he done so, he believed they would have witnessed evidence of a desire to promote true economy in all parts of the country. But while economy would not be promoted by the Bill, neither would it lead to efficiency. If the Secretary of State did not set up what might be described as a large manufacturing firm, his new system could not be profitable; and, if he did, he would have memorials and deputations time after time from those who would say that their honest industry was interfered with in the market, and that he had taken measures to render an honourable occupation a sign of punishment. With regard to the police the local authorities had ceased to be so vigilant for economy as formerly, the excuse being "Never mind, the Government pays half." There was formerly a community of feeling on both sides of the House that the institutions of the land should be upheld and maintained, but that feeling had now departed from the Government side of the House. He doubted the efficiency or the economy of the proposed change, and the only hope the right hon. Gentleman could have was that the Bill would be carried in the face of some of his most faithful Friends with the action of some from the Opposition side of the House. With respect to the question of uniformity, there was abundance of provision in the Act of 1865 to make that matter very much depend upon the will of the Secretary of State, and if he required further power, he could have obtained it from that House. With respect to the magistracy, the Bill treated them as spoiled children instead of as gentlemen who had administered the gaols of the country with great ability and at great cost of personal care and attention. Certain sops had been offered to them which he could not but think would in the olden time have been flung back to those who gave them. They ought only to limit the authority of the justices in those respects in which it might be arbitrarily exercised. The right hon. Gentleman had admitted, in answer to the Motion made by him (Mr. Hopwood) last Session, that 30,000 persons were committed to prison, not for any crime, but because they could not pay a sum of money. That number they might expect to see greatly diminished, if not entirely got rid of, by giving magistrates a merciful alternative, and so abolishing imprisonment in such cases. No man should be sent to prison when he could not pay money, but only when he refused to do so.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Rylands.*)

MR. RIDLEY said, that he was by no means one of the country magistrates whose blood, according to the hon. and learned Gentleman, had been stirred by the provisions of this Bill. So far from feeling that the class of country gentlemen to which he belonged felt in any way slighted by the measure, he intended to give it his warmest support. With regard to the magistrates of his own county (Northumberland), of whom he had the honour for a short time to be Chairman, he could state that it was their wish, as it was his own, that this Bill should become law. During the last Session he had had the honour of forwarding a Memorial from them to the Home Secretary in favour of the Bill, and he had never since seen any indication of a change of opinion on their part. He would refer to some of the objections which had been urged against the measure. It had been urged by the right hon. Member for Chester (Mr. Dodson) that this was an inadequate scheme for the improvement of our local government, that it ought to have proceeded on larger lines, and have dealt in a more comprehensive manner with the chaos of our local administration. He willingly gave credit to the Members of the late Government for having endeavoured, with the best intentions, to concoct schemes for the improvement of local government; but the lesson taught by the ambitious Bills of the right hon. Gentleman (Mr. Goschen) and the right hon. Member for Halifax (Mr. Stansfeld) was that they had made the mistake of attempting to do too much. In endeavouring by such large schemes to reform our local administration they had, to a great extent, lost their chance of success. The right way of proceeding was to begin from the bottom, to go on gradually, and not to be ashamed when a Government were told that they had brought in a little measure. The hon. Member for Burnley (Mr. Rylands) said the principle of granting Imperial taxation in aid of local burdens was wrong. That principle had been, however, partially adopted by the Legislature, and without detriment to those principles of economy which ought to guide our local administration. For his part he did not see how it was possible or consistent for any Government, still less for one that entered office pledged to carry out local and administrative reforms in relief of local burdens, to resist a vote of that House, by a large majority, which had decided as to the necessity for granting Imperial relief to local burdens, where it was shown that these burdens were connected with purposes of a national character. Take, for example, the cases of prisons and lunatics. It was admitted on almost all hands that if there were a national object in aid of which Imperial taxation should be granted, it was the case of prisons. It was, however, said that Parliament ought to go further, and that the House would next be called upon to take up and altogether maintain the police. He should demur to any such proposal. The Government had now gone as far as they ought to go in relieving the local burden of police, and any proposition that they should go further in that direction would receive his most strenuous opposition. Another argument against the Bill was that it was a centralizing measure. The Prisons Bill of 1865 was, to a great extent, of a centralizing tendency, and the powers given to the Home Secretary had, as every member of the court of quarter sessions knew, centralized our prison system to an extent which was hardly ever realized. But would the hon. Members who had addressed the House in opposition to this Bill ask the Home Secretary to relax the powers granted by the Prisons Bill? If not, they were inconsistent with themselves, and would hardly convince the House that this Bill ought to be rejected on the ground of its centralizing character. The fear of excessive centralization was, no doubt, a wholesome fear, and hon. Members would do well to keep this danger before their eyes. If, however, there were undoubted advantages in a scheme of this kind, the mere name of centralization ought not to frighten them from adopting it. He attached the greatest importance to those advantages which consisted in getting rid of differences with regard to hard labour, dietary, and discipline, which enabled the Home Secretary to group together prisoners undergoing long sentences distinctly from those undergoing short ones; and also the advantage which gave the Home Secretary power to close unnecessary gaols. If he were told that these powers might be given in some other way, he would reply that the object could not be carried out by any method so practicable and so certain to answer its purpose. It would not be possible to persuade the counties to agree for these purposes, nor would it be easy in any other way to get rid of the petty jealousies which would impede any proposal for general action. He was surprised that anyone who had read the Bill should use the argument that it proposed to confiscate the property of the different local authorities. It might be that, in some instances, such as that of Hull, the local authorities might be apprehensive that the provisions of the Bill would not secure to them proper compensation for the excess accommodation they had provided; but even if that were so it was a point of detail, and the principle of the measure was not one of confiscation. The Bill assumed that local authorities had provided, or must provide, a certain amount of prison accommodation, and taking it over from them it relieved them of the liability for the future. As the liability of the authorities was undisputed, he could not see how such an arrangement could be called confiscation. Another objection urged had been that the Bill curtailed the power of visiting justices; he would have preferred to say it curtailed that of the quarter sessions, which had been in the habit of drawing up regulations that were approved by the Home Office and carried out by the visiting justices as the servants of the court of quarter sessions. The Bill would place the initiative in the Home Office, and the visiting justices would carry out its orders rather than those of the Sessions. This would put an end to an unsatisfactory state of things, under which the visiting justices found that in proposing a small alteration they were liable to the veto of the Home Office, and they would find it pleasanter to have their duties clearly defined for them. But for what was said last year by the late Lord Mayor (Mr. Cotton) he could hardly have believed that county magistrates would be aggrieved because the Bill took a little petty patronage from them. He was certain visiting justices would be as willing to discharge their duties under the proposed arrangement as they had been hitherto. The Bill was supported by a Party that attached the greatest value to Imperial relief of local burdens, and to the economy which the Home Secretary had shown would result from the measure. It was also supported by a Party that attached most value to the securing of uniformity in the discipline and management of the criminal population. Both of those principles were, he believed, perfectly sound; but, for his part, he valued the latter more than the former, and he believed the counties did so too, or they would not be bribed by the relief offered. He was not so sanguine as the Home Secretary as to the amount of saving that would be effected when the salaries of the new Commissioners and other things were taken into account; but whether the saving were much or little, he should support the Bill for the sake of the second object it would attain. It seemed to offer the best means by which we could get rid of lamentable inequalities in the management of our criminal population. He should like, if it were possible, to have the duties of visiting justices more clearly defined, and to bring them still more directly into contact with the Home Secretary apart from the Inspectors; and the case of those local authorities who had provided more accommodation than was necessary ought to be clearly provided for. Those who regarded the Bill as a centralizing measure must recede from the legislation of 1865. If the Bill passed, the present Home Office might rely with as much confidence as heretofore on the co-operation of those magistrates in whose name many objections had been urged with such little justice and such little success.

MR. KNATCHBULL-HUGESSEN said, after the two able and earnest speeches that had been made from that side of the House against the Bill, he was unwilling to vote for the second reading of the Bill without offering a brief explanation. He could not consent to mix up the merits of the Bill with the general question raised as to the manner in which the Government had dealt with the matter of local taxation. No doubt they were pledged to bring forward a large general measure; but that opinion would not prevent him supporting them when they brought forward a measure which, quite apart from its effect upon local taxation, would effect a decided improvement in the administration of the Criminal Law. The Bill of 1865 was designed to promote uniformity in the management of prisons and in the discipline and treatment of prisoners. It was essentially a Bill of consolidation and amendment, and brought into readable and workable compass provisions respecting prison management which were scattered about in a great number of different statutes. He was bound to admit that the present proposal of the Government was the logical outcome of that Act. No doubt a great deal might be said as to the danger of making advances in one direction which might logically lead them in another. He would admit that taking the prisons they were logically bound to take the police; but logic did not always obtain in politics, and there were objections of a totally different character to handing over to Government the whole police force of the country. They were going to transfer from local to Imperial taxation one particular source of expense, and the question was this—Was that, fairly speaking, a local or Imperial subject? In this point of view what could be more entirely a national or Imperial object than thief-taking and thief-guarding? If, indeed, you could localize your thieves the case would be different; if you could say "500 persons shall thieve in Surrey, 2,000 in Middlesex," and so on, there could be no reason against localizing police and prisons; but since you could not do so, of course the thieves had a great advantage, being an unlimited body, able to travel all over the country, encountered only by limited and localized bodies. An army of 20,000 men, able to move upon any point, must be more powerful than 100,000, localized in bodies of 5,000 and unable to move from their localities; and if there were no other reason against it, police as well as gaols should, no doubt, be under the central Government. But so far as the present Bill went, the reasons against it appeared to him insufficient. He had noticed that when any great measure was introduced by any Government, those who objected always applied to it one of three long words—centralization, inquisitorial, or unconstitutional. But in the 19th century they were surely not to be frightened by these grand phrases, and he would ask them to consider what the meaning of the word centralization was as applied to this measure. Centralization meant the concentration of the power which the country could bring to bear upon any point, instead of dividing and thereby weakening it. Was not that desirable in an Imperial object? It was said the Bill would paralyze all local authority. But there was a fallacy in the objection. It took for granted that there was now a representative body managing the prisons having absolute control over all expenditure, whereas the fact was that nine-tenths of the prison expenditure did not come really under the control of the magistracy. In the next place, that control was to be transferred not to a dictator, but to the Secretary of State, who was directly responsible to the House, so that, in reality, whatever power they were taking away would be taken away from the magistrates, who were officers appointed by the Crown, and responsible to nobody, and given to an officer directly responsible to the representatives of the people. He owned it would be quite different if the prisons were to be taken out of the hands of a body elected by the ratepayers; but no such body was in existence. No abuse would be tolerated by Parliament if perpetrated by the Secretary of State. The Home Secretary was very often questioned with regard to the conduct of magistrates, and if this Bill passed there would be greater facility of inquiry into abuses, and he would more readily be brought to book if he did not do what he ought to do. He did not pretend to say that the Bill was not susceptible of improvement; but he believed it would achieve the three main objects contemplated—uniformity, efficiency, and economy of prison administration. At the same time, he thought the magistrates would be placed in rather an equivocal position with reference to patronage, and it would be better, instead of giving one-half to the Visiting Justices and the other half to the Prison Commissioners, to give the whole either to one body or the other. In either case he did not believe that a single magistrate would perform his duties less efficiently than at present. The appointments by the Justices were made in the great majority of cases from the purest and best motives and having regard to the real merits of the applicants. The idea that the Secretary of State was seeking to increase his own patronage was really absurd, for no one could be conversant with official life without knowing that this kind of patronage was a thing which any Minister would be only too glad to get rid of. But the provisions of the Bill in this respect would require great care and attention, otherwise, in taking powers from one class and giving them to another, they might land themselves in confusion. With respect to the discontinuance of prisons, he wished to give to the Home Secretary a respectful but an earnest warning not to be too precipitate in closing prisons in the pursuit of economy. A year or two ago an example occurred in Kent which would aptly illustrate his meaning. The General Sessions of that county resolved to abolish the Canterbury Prison, which was small but in good order, and to repair and enlarge the Maidstone Prison, which was in a reverse condition. Immediately he (Mr. Knatchbull-Hugessen), as Chairman of the East Kent Quarter Sessions, received remonstrances from all classes in East Kent, and the result was that being supported by a large number of the East Kent magistrates he obtained the reversal of the resolution at a subsequent General Sessions. The arguments which were urged, and which came home to him, were these—that although the closing of Canterbury Prison might be proved on paper to be economical, yet there were many expenses which fell on individuals concerned in the criminal business of Quarter Sessions which were shown in no Parliamentary Return, but which would be greatly increased if they had upon every occasion to travel a much longer distance from home, and often to be away for a night or more. And if this occurred, one unexpected result might follow—namely, that people would be deterred from prosecuting, and would rather suffer from petty thefts, than incur so much expense and inconvenience. Unless, therefore, the Secretary of State consulted local feeling and exercised forbearance and discretion in closing gaols, he might actually arrive at the result of providing immunity for crime and at the same time fail in obtaining real economy. It was desirable, as far as possible, to bring justice to every man's door; and in these matters the feelings and convenience of localities should be fully considered.

Mr. J. R. YORKE, in supporting the Bill, observed that it had been said that the Government were pledged to bring in a large and comprehensive measure on the subject of local taxation. He (Mr. Yorke) would rather have a small and definite grievance remedied than a large and comprehensive failure. If they compared the course of the present Government with that of the last, they found that if very slow it was very sure;

whereas the strong scheme which the last Administration originated came to signal grief. If this Bill passed this Session they would obtain a substantial instalment of a debt long due, and which ought to be discharged. There were four objects which the measure was intended to promote—economy, uniformity, efficiency, and relief to the taxpayer. His principal object in supporting the Bill was to obtain relief for the local taxpayer. He admitted that the Home Secretary would not be justified in proposing a measure of this kind solely on the ground that it would be a relief to the taxpayer; the right hon. Gentleman must show that it could be recommended on other grounds, as he did last Session, when he proved that economy, uniformity, and efficiency would be combined with that relief. Unless the right hon. Gentleman in this instance showed himself to be a very different man from what he had been in other matters he had taken in hand, there was no reason to apprehend that the sinister predictions which some had indulged in would be fulfilled. The salaries of the prison officers now amounted to £242,000, there being one officer to seven prisoners; but by this Bill half the salaries of the most highly paid would be saved, and with good management the net cost might be reduced from £285,000 to £178,000. Then, again, the extraordinary discrepancy in the cost of prisoners being £70 in one prison and £24 in another would be got rid of; and, instead of 76 county and 40 borough prisons, or one to about 200,000 persons, we should have for the future only 65 gaols, or one to every 320,000 persons. A Committee of the House of Lords recommended in 1863 that a uniform system of diet should be introduced, and in 1865 a Bill was passed with a view to carry out that recommendation. Nevertheless, it remained true that in some prisons hard labour, as the right hon. Gentleman said last year, meant a gentle walk, in others it was like the ascent of a mountain a thousand feet high. The time differed materially in different gaols, and the quantity of stone to be broken was exactly double in one gaol to what it was in another. In some places prisoners had their work separately, in others the separate system was not adopted. Unproductive labour was believed in some prisons to be more deterrent, in others not. No doubt, as Mr. Baker thought, different experiments ought to be conducted without the authority of the Visiting Justices. But magistrates had been occupied many years with these matters. They had exhausted the experiment stage of the question, and were now in the scientific. As to the question of relief to the local ratepayer, it should be observed that his position as compared with the taxpayer had materially deteriorated, for during the last 20 years, while 10 per cent had been added to the taxes, 100 per cent, more or less, had been added to the rates; and while £14,000,000 had been taken off the taxes, not one shilling up to the time the present Government came into office had been taken off the local burdens. In the first Session of the present Parliament, however, relief was given in the matter of the expense for police and lunatics, and there remained now the strongest case for relief, that of the liability for the administration of justice. He could hardly conceive any claim on the Exchequer stronger, for not only was the Government bound to defend us from foreign foes, but also to render life and property secure in the country, and it was not real property that was so much threatened by the dishonest as personal. It was curious to consider the system of justice in this country. Apparently, it was most simple, and connected by one leading idea. The Queen was the fountain of justice, which was administered in her name, writs were issued in her name, and all Civil officers, from the Lord Chancellor down to the Sheriff's officers, acted in her name. But when we came to consider the way in which the expenses were paid, the contrast to this theoretic uniformity was most striking. We had one anomalous distribution of cost between the Treasury and the localities. The Judges were paid by the Exchequer; the Coroners by the local rates; the expenses of prosecutions were shared between individuals, the Treasury, and the county; prisoners were maintained before conviction by the localities, and after conviction by the Imperial Exchequer; and the police were maintained partly by the one and partly by the other. He thought he had shown some reason for holding that no excuse whatever was needed for the claim put forth by the ratepayer on the Exchequer. We had heard a great deal about the price to be paid for the advantages which the Bill would confer, and a great deal had been said about interfering with local self-government. In his opinion, however, the evils likely to arise from this interference were very shadowy. He agreed with the right hon. Gentleman who had last spoken that you could not properly talk of local institutions unless you spoke of such as were administered by persons who were elected; but the magistrates were not an elected body, they were appointed by the Crown through the Lord Chancellor. Some would say this was the thin end of the wedge. The police were virtually the servants of the Home Secretary, though the counties had to pay half the cost. The limits of pay were determined in London, and the Chief Constable, though appointed by the magistrates at Quarter Sessions, was not removable by them. Then, again, the police had no common action; they were in isolated bodies all over the country, so that it was difficult to arrange any satisfactory system of promotion and superannuation, and there was also the difficulty of jurisdiction in dealing with offenders. In the not very distant future he hoped, therefore, that some further concession would be made in the matter of the police. Returning to the Bill, he regarded it as a step towards a simplification of the power of the magistrates in time to come, and also as a step towards the constitution—which, he hoped, was not very remote—of County Financial Boards. He had always considered that the present position of the magistrates in dealing with the money of the ratepayers was alike anomalous and indefensible, and a real safeguard to local institutions would be a County Board, either composed entirely of elective members, or, as he should prefer, with a proportion of magistrates sitting *ex officio*. If such Boards were empowered also to deal with sanitary matters, education, and other questions now intrusted to Boards of Guardians, it would be possible to constitute provincial assemblies, which would not only exercise these functions most usefully, but would also relieve the Government in London from a vast amount of harassing details and correspondence. If this Bill, as he believed, would promote economy and efficiency; if it would give an instalment of the debt which had long been owing to local ratepayers; and if it did not, as he believed, give rise to the dangers which had been apprehended, he thought it should receive general support, and trusted it would speedily pass during the present Session.

Sir HARCOURT JOHNSTONE said, he could not but express his surprise that so much time had already been wasted in discussing a Bill which was evidently very desirable. At the Quarter Sessions of his county the Bill had been received with absolute unanimity, because it carried out the recommendations of the Lords' Committee of 1863, made for the sake of securing greater economy and efficiency of administration. Referring to the case of Scarborough, which had been recently mentioned in the newspapers, he said there was no truth in the absurd statement that the people of Scarborough desired any exceptional legislation because they were exceptionally "respectable." They only felt somewhat aggrieved on local grounds connected with the prison there, but they were not in the least likely to get exceptional legislation, and had never asked for it. As to the Bill, he believed it was perfectly safe in the hands of the Home Secretary. Last year there had been a large majority in favour of the measure which was then introduced on the subject; and yet the old bugbears and phantoms—centralization, for instance—with which all the Members of the House must be familiar had again been conjured up. Notwithstanding what had been said, however, he trusted and believed that the Bill would have a speedy passage through the House.

Mr. W. S. STANHOPE said, that the Bill which was now under discussion did not materially differ from the measure which had been presented to Parliament last year; but the alterations which the present Bill exhibited, as compared with its predecessor, were, in his opinion, improvements. If it passed, it would, in its operation, remove a great many difficulties in the working of prison regulations, expenses, and other matters. Objections had been raised as to the way in which the duties of the visiting justices would be affected by the Bill; but he thought that, in practice, it might be expected that those duties would be very much what they had hitherto been. It was quite clear that neither the present

Home Secretary nor any one who might succeed him in the office which he held would be able to get on without the assistance of the local justices in the management of the prisons; and having been for a considerable time chairman of the visiting justices of Wakefield Gaol, where they had more than 1,400 prisoners, he knew these local justices were more directly under the supervision of the right hon. Gentleman, and more immediately responsible to the Home Office, than they were to the Quarter Sessions. Should County Boards be henceforth established, a difficulty might arise between them and the magistrates on the subject of prison expenditure, but if the Bill became law the cause of it would be removed. In Committee he hoped that the measure would be amended in regard to the visiting justices having to report upon the repairs necessary, or a large amount of circumlocution would be incurred. In all large prisons repairs could be better done by the justices than by a central office. At the same time, he thought a great benefit would result to the ratepayers, in that it would render more uniform the way in which the burden should be borne by the different classes of persons on whom it was laid, for he saw no reason why those persons who derived their incomes from funded property should not contribute towards the costs of prisoners. He wished to express his opinion in favour of the employment of prisoners upon industrial labour. Nothing could be said in defence of what might be described as purely penal labour—such as the treadmill, the crank, shot drill, and punishments of a similar character, and the justices with whom he had been associated in connection with Wakefield Gaol had for many years entirely disapproved of labour of such a description, and were of opinion it should be abolished. Work of that kind acted unequally upon criminals, and was, in many instances, dangerous to health. The sturdy ruffians sentenced to it thought nothing of it as a punishment, and the weakly prisoners who were subject to heart disease suffered in their health by such punishment. Not only so, but it was liable to this objection—that such a form of labour often tended to disgust the criminal and to make him declare that as soon as he got out of prison he would not do another day's work if he could help it. Let them, however, put such a man to an industrious occupation while he was in gaol, and they would not only train him to useful work, which he might follow when he regained his liberty, but they would make him of service in reducing the expenditure of the prison during the period of his incarceration. It did not follow that because a man happened to be a criminal he should be kept in idleness, and at Wakefield they preferred employing them in useful labour—in doing the repairs and alterations necessary in the gaol, and other things which produced a profitable result. Objections had been raised to the employment of prisoners in industrial and productive labour, on the ground that such labour would enter into unfair competition with various trades conducted outside prisons. He could not agree with this, because, in the first place, it did not follow that the labour of one man necessarily ousted the labour of another; and in the second, the magistrates could have no object in under-selling any trade. No doubt complaints were sometimes made against them, and specific cases might be brought forward when goods had to be sold at low prices; but it should be borne in mind that, in this matter, they were dealing not with willing, but with unwilling workers, and that in every prison there must be a quantity of bad material produced which had to be sold for what it would fetch. There were some other points of detail in reference to which he thought the Bill capable of improvement, and which he hoped to see effected in Committee; but, on the whole, he was of opinion that the measure would prove beneficial to the country both as regarded the interest of the ratepayers and as tending to promote a more efficient and uniform administration of our gaols, and he hoped the House would give its assent to the second reading.

DR. KENEALY said, he should not oppose the second reading of the Bill, because he thought there was a general opinion in the House in favour of legislation on the subject. There were, however, some points in reference to which he had an objection, and upon which he thought Amendments might be made. In the first place, he thought the powers proposed to be given by the Bill were too dictatorial in character; and in the second, he was of opinion that the Governing Bodies proposed to be constituted should be called upon to make such Reports as would enable Parliament to take action in reference to possible abuses of the internal management of prisons. It was all very well for Prison Inspectors to report to the Secretary of State, who probably pigeon-holed the document as soon as he got it. The Report should be presented to Parliament, so that hon. Members might have an opportunity of knowing what was going on. He had taken the liberty of calling the attention of the right hon. Gentleman the other evening to certain prison regulations which, in his opinion, ought to be altered in the way of amendment, and he now respectfully pressed upon him the necessity of repealing all existing prison rules and framing fresh ones altogether. Under our present prison system most tyrannical proceedings were permitted, which, if generally known, would excite great public indignation. Thus prisoners were frequently masked and manacled, and had heavy weights, such as cannon balls, chained to their legs as a punishment for having violated some trifling prison rule; while others were flogged if they committed the slightest breach of discipline, and this, in his opinion, was a disgrace to the country. He had waited with anxiety to see whether any of the so-called Humanitarian Party in the House would come forward on behalf of these unfortunate beings, many of whom were doubtless guilty, but a large proportion of whom were the victims of circumstances, who deserved commiseration, and who would, if treated differently, be converted into good members of society; but he regretted to find that their wrongs were passed by unnoticed. Many of the prisoners were flogged, were subjected to long terms of solitary confinement, and were fed upon bread and water for similar offences. He found from Returns that between July, 1864, and March, 1871, no fewer than 1,398 prisoners had been flogged by order of the Visiting Justices. Surely that was a circumstance requiring investigation, especially when it was remembered that all these transactions were concealed under the present system, and were unknown to the general public, as the prisoners were absolutely forbidden to make known to the outside world any of the tyrannies to which they were subjected. Notwithstanding the vigilance exercised by the Home Secretary, there were officials who delighted to inflict torture on those of their fellow-creatures who happened to be in their power. It might seem an extraordinary theory to propound, but he certainly considered that flogging ought only to be imposed after full investigation in Court before a jury. So-called philanthropists looked upon prisoners as men who, having raised their hands against other men, deserved to have other men's hands raised against them; but if an entirely opposite system were adopted—one of love, kindness, and gentleness—it would be much more effective. He would therefore suggest that in future no prisoner should be flogged without having been tried by a jury and sentenced to that punishment by a Court of Law, that no prisoner should be subjected to solitary confinement for a longer period than 12 hours at a time, and that no prisoner should be fed upon bread and water or be compelled to drag about heavy weights chained to his legs. The effect of these cruel punishments was to harden and confirm in guilt rather than to soften and reform, while they were liable to the grossest abuse at the hands of bad men who sometimes got into office, and who exercised their great power tyrannically. Some alteration should also be made in the regulation forbidding complaints to be made by prisoners to their relatives and friends, for the mouth of a person ought not to be sealed simply because he was a prisoner. He ought not to be debarred from acquainting his friends with the hardship he was suffering; he was not likely to invent falsehoods for the mere pleasure of inventing them. Provision might also be made for prisoners who fell into a state of ill-health. If the medical officer considered that the ill-health was not sufficient to justify a change of treatment, the prisoner ought to be allowed to be visited by a doctor in whom his friends had confidence, and whose recommendations should be attended to. The rules as to the visits of relatives and the writing of letters might be judiciously relaxed, as the more frequently a prisoner was brought into contact with the outside world the more powerful would be the humanizing effect upon him. Under the present system prisoners were only allowed to be visited twice a-year, and then only for 20 minutes at a time, but he proposed that the number of times they might be visited should be increased to four, and the duration of each visit extended to one hour, because he believed that these interviews, with their mothers, their wives, their sisters, and their children, tended to humanize rather than to debase them. Placing him behind iron bars to be gazed at by his friends was reducing him to the level of a wild beast, and with treatment like this was it to be wondered at that, on his release, he acted like a beast rather than a human being? These were alterations which were consistent with the ordinary feelings of humanity, and he trusted that the Home Secretary would find himself able to adopt them.

SIR WILLIAM FRASER said, they had heard much in that debate of the rights and duties of visiting justices; he hoped the rights, powers, and privileges confirmed by the Act of 1865, with respect to the visitation of prisons, to those justices who were not on the visiting committee, and whose services in examining what went on in prisons would be all the more valuable, because their visits of inspection were unexpected, would be strictly preserved. In the county of Middlesex there was a very large number of magistrates and also of prisons, and he hoped the point to which he had just referred would not be overlooked. He also trusted the important point would be made clear whether magistrates had a right, which they ought to have, of visiting the police cells of the metropolis and prisons of first instance—that was to say, the houses of detention, with a view to the careful supervision of the treatment received by the inmates. Different systems of discipline, varying much in their degree of severity, had been adopted in the prisons of this country; but when the power was more concentrated and vested to a great extent in the Home Secretary, on the whole, greater justice would be done to prisoners. Uncertainty and inequality of treatment were more intolerable in a free country than strictness even to severity; such uncertainty and inequality had to many minds the appearance of injustice, a thing which it was desirable to avoid as much as possible. Allusion had been made to the hardships and indignities inflicted upon convicts in respect to the visits of their relatives and friends: it was a hardship that prisoners, on the rare occasions when they were allowed to see their friends, should be exposed to any degradation that was not absolutely unavoidable. In these days of mechanical contrivance, it surely could not be difficult or unduly expensive to make arrangements in most prisons by which a few moments of privacy could, without danger, be given to prisoners when they were visited by their friends. A prisoner ought also to have something to look forward to, if he was not to sink into hopeless and inveterate criminality. Moreover, it was most important to maintain a distinction both in name and in condition between a house of detention and a prison. Shakespeare had made a very young lady ask, "What's in a name?" but he was far too sensible a man not to know that there was a very great deal in a name. If a man were put into a house of detention, he would not be so degraded in his own and in other people's estimation when he came out as he would be if he came out of a prison. He knew of places in which persons who were detained on remand or for trial were treated just the same as convicted prisoners, excepting in regard to hard labour. That he conceived to be an injustice, for until the sentence was passed the accused was, in the eye of the law, innocent. In conclusion, he thought measures like the present one were wise and practical, and thoroughly appreciated by the country. Happily, the times had changed since we had only one philanthropist. On the tomb of John Howard, in St. Paul's, were inscribed the words—"He trod an open, but unfrequented path to immortality." Howard was not only a very benevolent man, but a man of consummate practical sagacity; and he taught the world the lesson that a man may be benevolent without being a fool. It was extremely gratifying to find a Conservative Government endeavouring to carry measures conceived in the spirit in which this Bill had been framed. He was very glad indeed that the measure had been introduced by the Home Secretary and his Colleagues, for nothing could tend more to honest and just popularity than these philanthropic reforms.

SIR SYDNEY WATERLOW said, he would admit that the present condition of the small county and borough prisons could not be regarded as altogether satisfactory, and also that there was a large number of small prisons which were extravagant in their management and which ought to be abandoned. But he thought the necessary changes for insuring greater economy and greater uniformity of discipline could be better carried out by utilizing the present system of local government than they could be by the radical measure of transferring the whole management of the gaols from the county magistrates to a State Department, as proposed by the Bill. A good deal had been said about the part of the Bill which retained for the visiting magistrates the right of inspecting gaols; but the privilege would be only a sham under the provisions of the Bill, for the visiting justices would have no control over the prison officials, and any person they recommended for a prison appointment might be accepted or rejected by the Prison Commissioners as they chose. By doing that they would take away all the attractions which made the work of inspection agreeable and pleasant to the justices; while, on the other hand, it would tend to create a feeling on the part of the officials that the visiting magistrates were spies, who had no real power or authority. The Bill aimed a serious blow at local self-government, and every magistrate of experience must come to the conclusion that it was one of the most dangerous attempts at centralization that had been proposed by any Government during the last quarter of a century. He had not heard it alleged that the visiting magistrates were incompetent for their duties, and yet it was proposed to replace them by Commissioners, who could not for many years to come have the same knowledge of prison discipline and prison management. He admitted that the Bill would effect a large saving by closing small prisons, but the same end could be attained by following the lines of the Prisons Act of 1865, in which 15 prisons were scheduled as requiring to be abandoned. Reforms were undoubtedly necessary; but they could be assured by the control of the prisons for England, for instance, being placed in the hands of a smaller number of experienced local prison authorities, and more under the direct control of the Home Secretary; while, at the same time, all the present advantages of local self-government and local representation would be retained. Such a plan would be found more economical than that proposed in the present Bill, and equally effective in producing uniformity of management. Having regard to the large number of cells in the several prisons in England in excess of the maximum number of prisoners in custody, he would suggest that all the small prisons, which were so costly in their maintenance, should be abandoned, and that all the counties in England, for prison purposes, be grouped into nine prison districts, corresponding with the existing circuits of the Judges. Each circuit under this arrangement would have but one prison authority, consisting of a limited number of justices to be nominated in proportion to the relative assessment to the county rates, by the several counties grouped in each circuit, and each justice appointed on the district prison committee would hold office for four years, one-fourth of the number retiring each year. The prison authority thus created would have general direction of the gaols in their own district, subject to rules and regulations to be framed by the right hon. Gentleman, who should also have the power to abolish unnecessary prisons. This plan would reduce the number of prison authorities under the control of the Government to a number very little in excess of the proposed five Commissioners, and would provide the machinery for a more uniform system of discipline and management. As some evidence of the necessity for a reduction in the number of prisons and the economical results which such a course would produce, he might state that the last Reports of the Inspectors of Prisons for the year ending September 29, 1875, showed the average daily number in custody during the year to be rather more than 18,000, while the greatest number in custody at any one time during the year was 22,251, to accommodate whom there was a total number of 27,604 cells. It was obvious, therefore, that they had accommodation for 5,000 prisoners above the maximum number ever in custody. A reference to the same Report showed that there were 54 prisons containing collectively only 1,376 prisoners, thus indicating clearly that 50 prisons might be closed without unduly reducing the accommodation necessary for the criminal population of the country. There was, however, sufficient power in the Act of 1865 to close unnecessary prisons, and thus the only saving effected by the Bill could have been carried out without disturbing an existing arrangement which had done so much to train public men of ability and integrity sufficient to meet any emergency which might occur. His main objection to the Bill, however, was that in all other ways it inaugurated what would be anything but a system of economical administration. If they took the Government Returns it would be seen at once that the cost of maintenance would be greatly increased throughout the Kingdom. If the right hon. Gentleman disputed that fact, he would ask how it was they did not maintain the convict prisoners at as low a cost as the magistrates did the county prisoners. Comparing the convict prisons with county prisons, it appeared from the Report on the former for the year ending March, 1875, that the net cost per prisoner was very much in excess of the cost in county prisons. In Pentonville, with 878 prisoners, the charge was £24 3*s.* 8*d.* per head per annum; in Parkhurst, 544 prisoners, £24 per head; and in Woking, with 478 females, £29 14*s.* per head, or an average of £25 16*s.*; while in the whole of Lancashire (the prisons being under local management) the average cost was less than £15. It might be urged that it was not fair to compare the cost of convict prisons, where men were sent for long periods, with those prisons where persons undergoing short sentences were confined. He did not consider that objection possessed any force, for, as a rule, the labour of men sentenced to short periods was worthless, because there was no time to teach them anything useful, and the vast majority of those in the county prisons were under sentences of less than six months. With these figures before them they ought certainly to hesitate before incurring the risk of such a large additional expenditure by the transfer of the gaols from local to State control. Lancashire was not the only district in which the prisons were well and economically managed. Thus—Durham, with 758 cells, and on an average 575 criminals, expended £13 6*s.* 6*d.* per head; Wakefield, with 1,473 cells, and 1,253 prisoners, £17 5*s.* 3½*d.*; Leeds, with 519 cells and 386 criminals, £18 18*s.* 9*d.*, and a reference to Salford and Preston gaols showed that the prisoners were maintained at much less than half the cost incurred by the Government in maintaining convict prisoners. It would, perhaps, be urged that the comparison was not fair, because convict prisoners being sentenced for long periods, were obliged to have a larger allowance of food than prisoners in custody for only short periods; but that difference was immaterial, amounting only to 2*d.* or 3*d.* a head more per day for those undergoing long sentences, and even that slight saving was much more than counterbalanced by the increased advantages derived from the labour of prisoners sentenced for five years and upwards. Taking the average number of prisoners in 13 of the principal county and borough prisons for the year ending the 29th of September, 1875, he found that out of a total of 75,987 prisoners, 72,632 were committed for sentences under six months, or, in other words, only one prisoner out of every 25 remained in gaol sufficiently long to be taught any trade. The convict prisons had thus everything in their favour, and yet, as he had shown, the cost of their maintenance was greater than that of the county gaols. He should rejoice to see a reform effected in prison labour, and he considered that that could be best carried out by local magistrates acting on the gaol committees, who were more likely to administer the prisons efficiently and economically than Commissioners appointed by the State. County magistrates would also be better able than a Board of Commissioners to understand the kind of labour in which prisoners could be profitably employed, and from a better knowledge of the markets, could dispose more advantageously of the products of the labour. In, conclusion, he quite agreed that small prisons, the management of which had been found to be expensive, and out of all proportion to their usefulness and importance, should be abolished; but he thought this could be done without putting the country to the risk of the radical change which the Bill now before the House would effect.

MR. NEWDEGATE: I am quite sure that the House, if disposed to give its attention to this important subject, must feel very much indebted to the hon. Baronet the Member for Maidstone (Sir Sydney Waterlow), for the eminently able and practical speech which he has addressed to the House, showing that there is no real necessity for abandoning the existing system, and that the system is susceptible of improvement. When I ventured to address a few observations to the House on the introduction of the Bill, the right hon. Gentleman the Secretary of State for the Home Department said, "You made the same speech in 1865." I am not aware that I spoke on the Bill of 1865; but I believe that the tenour of the few observations which I made on the Prisons Bill, when it was last year introduced into the House, were very much in accordance with the opinions I am about to express. I was gratified in 1865 by seeing that the constitution of the county and borough prisons, and their management, was preserved, by that Act of 1865, although great changes were made in the detail of administration. I wish the House to understand how great a change the right hon. Gentleman is now proposing. By the Act of 1865, 14 of the smaller gaols were closed, and why should not a similar proposal be adopted now? By that Act the local jurisdiction of the magistrates was preserved, and instead of making over the large sphere of the administration of justice which prison discipline and management comprehend to the arbitrary, and it may be the capricious discretion of the Home Secretary, the rules for prison discipline were incorporated in the Act of 1865, and were specifically enacted by Parliament, so that inmates of the gaols of England are, as much as the people of England, governed by law, and not by an authority delegated to a Member of the Executive Government. In this there is the recognition of a great constitutional principle. I could have understood the right hon. Gentleman if he had said,—"Give me discretionary power for a time, until I can make rules such as may command the confidence of Parliament, and thus be enacted;" but the right hon. Gentleman proposes, under this Bill, to take for himself and his successors an unlimited discretionary power in the administration of justice. For prison discipline under the modern system has become more than ever part of the administration of justice, and that is one reason why I regard as dangerous the principles of this Bill. If, Sir, there are too many gaols, there is no reason why the smaller ones should not be suppressd in the same manner as 14 were suppressed in the year 1865. If this is to be done, let it be done specifically by statute, and if the right hon. Gentleman wishes to exercise discretion, the House might allow him two or three years, which will probably be the full extent of his occupancy of office, for suppressing small prisons and for the framing of the rules to govern the rest; but if he has any confidence in himself, if he has any confidence in his Party, if he has any confidence in being able to effect good and useful alterations in the present system, why does he not propose the general outline of his intended action now? Why do I say that the administration of prison discipline has become a part of the administration of justice? It is perfectly well known with respect to the separate system of imprisonment, that, when that system was adopted in many of the gaols of the country, I believe in all the convict prisons, so grievous was the unmitigated pressure of that system found to be upon the mind, so overpowering upon the minds of many prisoners, that it became necessary to give some authority power to limit the period, as well as the application of that system. I hope the House will forgive me if I allude for one moment to experience of my own. More than 30 years ago I went to the United States, where I was privileged to see the first application of the separate system in the prison of Philadelphia. I do not know how the permission was granted to me, but I had it, and I must say that anything so dreadful as what I there saw, I have never since witnessed. The system was being applied in excess, and I saw both black and white men, prisoners, in almost every stage of moral and mental decomposition. The system was subsequently introduced into this country, and I resisted it, in conjunction with some of the Warwickshire and most of the Middlesex justices of the peace, and we succeeded in preventing its application, until the necessity for modifying its application had been ascertained by experience in this country, just as it had been ascertained by experience in the United States. So that I do not speak altogether as a novice on the question when I contend that in the application of this system some person or persons in authority must have the power not only of modifying the application, but of regulating the period of the application of this system; and, if that power must be exercised, then I say that this interference forms a part of the administration of justice which reaches the gaols of the country, and that the proper persons to be entrusted with the regulation of the ordinary gaols are the local magistrates. I know that the county and borough justices are lightly spoken of by certain persons; yet if there be any instance of abuse in their administration, if there is any instance of cruelty or injustice, I ask you, Mr. Speaker, whether there are not always found Members in this House, who, like the hon. Member for Leicester (Mr. P. A. Taylor)—and I honour him for what he has done in this respect—are prompt to bring the conduct of such magistrates under the attention of this House? Do not tell me that, because the county and borough magistrates are not elected, they are therefore irresponsible. They are always liable to dismissal by the same authority that appointed them, the Lord Chancellor. They have been made practically responsible by this House; for if any magistrate has committed any excess or abuse of power, Members in this House have shown themselves ready to appeal to the Lord Chancellor for that magistrate's dismissal. I repeat, then, do not tell me that the magistrates are irresponsible. Among the younger Members of this House in the present day there seems to be strange confusion. They appear to think that no institution can be national, the conduct and expenditure of which are not immediately subject to the Executive Government. According to this theory the Established Church is not a national institution. These Members speak of the county magistrates, as if they were not representative, because they are not elected. Will they tell the country that the House of Lords is not representative, because it is not elective? Will they accept the vulgar delusion that the House of Lords represents nothing but a certain number of acres and houses possessed by the Peers, and fails to represent the higher intelligence of this country? Sir, it pains me to hear among those who call themselves Conservatives, politicians, junior to myself, fathering delusions, which on the present occasion, I am glad to find the Radicals in this House are ashamed to utter, and practically disown. It is gratifying to see the Radical Members of this House rising in their places to defend great constitutional principles, which secure the freedom of the people of this country. The House will forgive me if I am travelling in too wide a sphere; but you may depend upon this, that representative institutions are not only those which are elective. It is impossible that men having a stake, and who reside in certain localities, should exercise public administrative functions in their own neighbourhoods without feeling the pressure of the public opinion of those neighbourhoods; and this is the meaning of local government being described as self-government. It matters not whether the administrator be elected or not; if he is fixed to a locality, he must feel and be influenced by the pressure of the opinion of that locality. The danger arises from this, that, if you extend the sphere of his action too widely, you dissipate the pressure of local opinion. In the multiplicity of functions that are heaped upon Home Secretaries they escape this kind of responsibility, and in this lies the reason for their being sometimes charged with neglect. They are unable to perform all the offices they undertake themselves, and are obliged to delegate the exercise of them to subordinates, and thus evade the responsibility that ought to rest upon themselves. Now, this is the process of dissipating responsibility which you are engaged in furthering by means of this Bill for the supersession of the local government of the country in the matter of prison management and discipline. I say, then, that this is a Radical Bill in the worst sense of the term, for it is a radical change in the direction of virtually irresponsible and despotic power, and I stand with the Radical Members of this House as firmly as any of them in protesting against the despotic tendencies of this measure. I am sorry to say that among junior Conservatives there appears to be a leaning towards principles which have been condemned during the best period of the history of this country. In the exercise of the wide hospitality of this country we receive ex-Potentates and their families; we have received ex-Presidents of Republics and their families; but these ex-Presidents have generally come here poor; we receive ex-Emperors and ex-Empresses, and ex-Kings and ex-Queens, but they have generally come here rich—at all events, they have a position in society which I am afraid tends to impregnate the higher classes with an undue toleration of—if not an inclination towards—those despotic practices which have been occasions for the ousting of these ex-Potentates, ex-Emperors, and ex-Kings from their former countries. Now, when I read this Bill—a Bill which I little expected from the present Home Secretary—I do not think that the apprehensions with which the Royal Titles Bill was regarded by hon. Gentlemen opposite, suspicions shared by myself, were so groundless as my hon. Friends near described them. The fact is that this Bill is a direct invasion of the Common Law of this country, and I am prepared to prove it. The Common Law of this country—the chief source and guardian of our orderly freedom—grew out of local administration. I might quote Lord Coke, Mr. Justice Blackstone, and Lord Hale to prove this. But, Sir, there is not a lawyer in or out of the House that would dispute the proposition that the Common Law is founded upon the local customs of this country. With the permission of the House, however, there is one authority upon the subject whom I should like to quote. I hold in my hand an extract from the works of M. de Tocqueville, whom I believe to be the highest French authority upon constitutional questions. A work of his on "*The Ancien Regime in France*," was translated and published by the Conservative publisher, Mr. Murray, in 1865. And what does M. de Tocqueville say while comparing the laws of France with those of England? He writes of the Common Law and Courts of England—

> "The power which nations possess of prospering, in spite of the imperfections to be met with in secondary portions of their institutions, so long as the general principles and the actual spirit which animate those institutions are full of life and vigour, is a phenomenon which manifests itself with peculiar distinctness when the judicial constitution of England in the last century, as described by Blackstone, is looked into."

Mind you, this was the constitution of England unreformed—that is, unreformed in the modern sense, of which the proposal now before the House is an example. He says there was a wonderful diversity of law—

> "In England itself may be found four kinds of law—the common law, statute law, canon law, and equity."

Then, what does he say of the administration of justice in England, with all this diversity, which the right hon. Gentleman says cannot longer be endured, still preserving the great principle of the Common Law? He says this—

> "These blemishes were very great; and if the enormous old machine of the English judicial system be compared with the modern construction of that of France, and the simplicity, consistence, and natural convexity to be observed in the latter, with the remarkable complication and incoherence of the former, the errors of the English jurisprudence will appear greater still."

M. de Tocqueville had just been ejected from France by a despotic *coup d'etat*. He was here in England, ejected from his own country, which be one revolution had destroyed a Constitutional Government, and by another revolution had within four years seen the Republic of 1848 supplanted by a despotism. He was in a temper, therefore, to inquire how it was that, at that period of European crisis, England was able to stand so firm? And what is his observation on this? Notwithstanding all this diversity, this complexity, this multiplicity of jurisdiction, he says—

> "There is not a country in the world in which, in the words of Blackstone, the great ends of justice are more completely attained than in England—that is to say, no country in which every man, whatever his condition of life, whether he appeared in Court as a common individual or a prince, was more sure of being heard, or found in the tribunals of this country better guarantees for the defence of his property, his liberty, and his life."

Now, it is a part of this system which we are asked by the present Bill to break up in favour of a centralized system like that of France. The Swiss have a very varied system of prison discipline, like our own. It is no more uniform than the system which exists in England; but they have only one criminal to every 1,200 of the population; whereas, if you turn to France, with its exact uniformity, and its centralization, you will find one criminal in every 600 of the population. The proportion of criminals to population in England is smaller even than that of Switzerland. This brings me to refer to another part of the English system. Hitherto, though not unmodified, in principle the administration of justice in this country has been non-political. The magistrate is a judicial officer, and is not appointed in deference to, and is usually free from the bias of political considerations. He is, I repeat, a judicial officer; but by this Bill you take the whole of that portion of the administration of justice which, as I have shown, now extends throughout prison discipline, under your modern system; you take the judicial system from the Lord Chancellor, a Judge, who is the superior of the magistrates, and give it to the Secretary of State, who is a political officer. That is another ground upon which I object to this Bill; but I object to it on other grounds. Colonel Ducane and other gentlemen of the Civil Service go to Social Science meetings, and there they impugn the conduct and vilify the unpaid magistracy of the country. Those gentlemen say that there is greater uniformity of administration in the convict prisons than in the county and borough prisons, and the discipline in all prisons ought to be equally uniform. Is that to be expected? The occupants of convict gaols are selected prisoners. They are long-sentence men, and it is easy to adopt an absolute, or nearly absolute, uniformity of discipline for them, when it would be impossible, even if it were desirable, to adopt that absolute uniformity of discipline among prisoners sentenced for a variety of periods with whom the justices have to deal in the county and borough gaols. I appeal to the experience of every magistrate in this House whether this is not the fact; and yet we are taunted with a want of uniformity like that in the convict prisons, and with not carrying out a system which is totally inapplicable in many of these cases. Again, I say, that this Bill puts an end to the great and useful legal distinction which still exists between felons and other classes of prisoners, the treatment of the most heinous and less culpable offenders. The term "felon," in its original sense, was applied to that class of offenders who were afterwards transported, and are now termed convicts. The felon was an outlaw, and the convict was transported; and during the period of his sentence became an outlaw. In my opinion no greater mischief was ever done to this country than by the abolition of the system of transportation. The abolition of transportation may have been a boon to some of the colonies; but it was an injury to the mother-country, and an injury to the convicts themselves; for I defy you to give a convict the opportunity of amendment in the mother-country, where you are obliged to guard him against his old associates in crime by a stern system of restraint, that you could give him if you sent him to the colonies, where he would have a much fairer chance of amendment. It is a great misfortune that the system was abolished; it was proved, in the case of a person who desired to be admitted to a seat in this House, whilst still under a sentence of transportation, that he was an outlaw. It is a wholesome distinction that compelled you to deal differently with convicts who have been guilty of the more serious offences and sentenced to long terms of imprisonment, and with prisoners sentenced to short periods—the distinction between county and borough gaols and the convict prisons. But under this Bill you are going to abolish the wholesome distinction which has hitherto existed between these different classes of prisons. If, however, you mean to remedy that defect, which will be created by this Bill, it can only be, as the hon. Member opposite (Mr. Hopwood) pointed out, by the establishment of Bridewells and Houses of Detention. You are about to abolish all the small gaols; but you will have to create a substitute for short-sentenced prisoners. You will have to enlarge your police stations, or else build Houses of Detention, and where will then be the boasted economy of this Bill? The right hon. Gentleman the Home Secretary has proposed this measure with a double object. On the one hand, he desired to gratify those who clamour for the remission of local taxation, and if possible make his concessions in that direction fit into a reform of the whole system of prison administration. The consequence of this two-fold attempt is the introduction of an arbitrary measure in violation of the constitutional law of the country, which, but for the clamour raised by Chambers of Agriculture and others, I do not believe the right hon. Gentleman would ever have attempted to lay on the Table. I hope the House will excuse the observations which I have made. They convey, I conceive, distinct fundamental objections to the Bill and to its principles. I would say further that I think the clause in this

Bill upon which the right hon. Gentleman the Home Secretary relies—the clause providing for the appointment of the visiting committee of the magistrates who he intends should take the place of the visiting justices—would place any magistrate who may accept the post in a false position with the court of quarter sessions, for whoever accepts this function will cease to be a magistrate like his brother magistrates, while not ceasing to be a justice of the peace, he will become the instrument of another power. In fact, his position will become utterly ambiguous. He will not sit in the court of which he is a member like the other members of that court. He must be either their superior or their suspect. The right hon. Gentleman says that he cannot dispense with the assistance of the visiting justices; but he is about to supersede them by instruments he is about to select from the courts of quarter sessions. The reports of these instruments are to be made to him, not to the court of quarter sessions; he will receive reports from individual justices instead of the collective reports of the courts which now reach him through their chairman. I hope the House will excuse me for having thus detained them in stating the objections which I entertain to this Bill. But, before I conclude, there is yet one other objection to which I would direct attention. The reformatory system in this country began in my own county. For 16 years I subscribed to a reformatory before any Act of Parliament was passed on the subject, and I do not know that in any part of England an institution of the sort was founded earlier than in Warwickshire. We had power to commit to a reformatory school, we had only to find the means of establishing a reformatory school—we did this by private subscription; and when you tell me that there has been no improvement in prison discipline originated or carried out by the county justices, I ask you to look at this fact—that the reformatory system in this country was founded by us, despised and condemned justices of the peace, and of this my own county presents the first example. If you separate completely the prison system from the judicial system of the magistracy, you will build a wall against the improvements, such as we have hitherto been enabled to carry out, and instead of our being able to empty the prisons, you shall fill them. These full prisons may be administered by officers of the central authority all clad in blue, according to a rigid system of uniformity; but you risk the contentment of the people which has hitherto been assured under the ancient constitutional system of local self-government, which made every man to feel that he would be tried, and, if need be, punished, not only by his peers, but by men who were responsible to his neighbours and their neighbours for their conduct; but if, by means of this measure, you substitute a central system, you will in the end succeed in doing this—you will centralize discontent, and thus enter upon a system which has proved the fruitful source of convulsion in France.

Sir HENRY SELWIN-IBBETSON said, he was sure his hon. Friend the Member for North Warwickshire (Mr. Newdegate), earnest as he was upon every subject in which he took an interest, had no need to apologize to the House for having suggested the views he had just laid before them, but he could not help congratulating the Radical Members below the Gangway opposite, as his hon. Friend had called them, on the accession to their ranks of a very powerful ally. His hon. Friend had stated what he (Sir Henry Selwin-Ibbetson) could not, for the life of him, perceive—namely, that the Bill was an interference with the Common Law of the country. On the contrary, it was an interference merely with the government of the prisons of the country, which was regulated by statute law. He did not think that another of the views of his hon. Friend would find favour with his new allies below the Gangway, for not only was it a matter of absolute political necessity, but it was a matter of mere justice to those citizens of the United Kingdom who had gone to found our colonies, that transportation was abolished. They had had a speech from the hon. Baronet the Member for Maidstone (Sir Sydney Waterlow), who was, perhaps, the only Member who had spoken who had travelled in respect of the Bill out of the history of last Session. The hon. Baronet's suggestion to divide England into circuit districts, and regulate prisons on that plan, though he might have given some attention to the matter, had not been sufficiently worked out, because he (Sir Henry Selwin-Ibbetson) ventured to think that the hon. Baronet had not considered the difficulties, quarrels, and jealousies which must ensue from that system. The whole idea on which the hon. Baronet founded his system was that the present Acts could be so supplemented as to be made perfectly suitable to carry out the objects to effect which the present Bill was brought before the House. Those objects were—economy in management, the reform of criminals by industrial employment, and the relief of local burdens. He (Sir Henry Selwin-Ibbetson) asked whether the Act of 1865, having been passed for those objects, had afforded sufficient encouragement to the Home Secretary by the way in which it had been carried out, to make them think that by merely taking further powers they would attain the end they all had in view? The Bill of 1865, while helping the authorities in the localities, laid down a system of rules which were to be sanctioned by the Secretary of State, in which the mode of governing the prisons was to be sanctioned as regarded diet, discipline, and other matters of administration. Power was also given for the removal of prisoners from one prison to another. But what had been the result? The local magistrates throughout the country were not of one mind, and the rules so sanctioned were not carried into effect; and under the present system a period of four years must elapse before the Secretary of State could compel action whenever the prison authorities refused to carry out the rules. The Bill would remedy that, and moreover, would bring about an immense saving. The hon. Baronet the Member for Maidstone had said that under the present system economy would not be secured, and he referred to three Government prisons in which the net cost of maintenance averaged something like £35 a-head. But the hon. Baronet left out of his calculation a statement which he ought to have made. He ought to have told the House that the prisons managed by Government had a much larger proportion of officers than those not under its control; and the cost of maintenance in the various prisons he took as examples showed that that if all the local authorities in England had only followed out the principle by which such economy was arrived at there would have been no need for the present Bill. Convincing as the figures the hon. Baronet quoted appeared to be, they were not absolutely flawless, for if he had gone a little further he would have found them refuted. He had only to turn to the county prison of Leicestershire, where the cost per prisoner was £42 13*s.* 1*d.*; to that of Stamford, where it was £69; or to that of Nottingham, where it was £46, to find this verified. He mentioned those facts to show that the argument from figures was not perfectly reliable. The hon. Member for North Warwickshire urged that if the Bill passed the Secretary of State could set aside the rules which were made by the statute. That was not so; those rules would remain as enacted in 1865. The power the Secretary of State took was the power possessed by the prison authority—namely, the quarter sessions. That power might supplement the rules laid down by the statute by regulations framed for the visiting justices, and the power to make such regulations was now proposed to be transferred to the Secretary of State; but all the safeguards provided by the Act of 1865 remained. The hon. Member for North Warwickshire had asked, would not the magistrates be despised and condemned if they worked under the system to be established under this Bill?

MR. NEWDEGATE: I said that their position would be despised and disregarded as an independent authority.

SIR HENRY SELWIN-IBBETSON said, he had misunderstood his hon. Friend, but he must say from his own experience as a magistrate that he could not believe that men who performed the duties of justices—acting from the motives which actuated them—would be at all influenced by such an idea. He did not believe that men who voluntarily visited lunatic asylums under much the same condition of things would be placed in any such degraded position as the hon. Member had asserted they would be by acting under the powers of this Bill. So far from the visiting justices sustaining any loss of dignity, the Home Secretary must depend upon them for the maintenance and working of the prisons throughout the country. The duties of the visiting justices would be almost identical with their present functions. They would be the guardians of the prisoners and their protectors against any injustice, cruelty, and wrong that might be done to them. They would then as now also have to administer the rules laid down by the Secretary of State; and they would, in fact, have the supervision of the prisons subject to the authority of the Home Secretary, the only difference being that they would report to the Secretary of State instead of to the quarter sessions. He believed, also, that they would have the same authority over prison discipline when the Bill became law as they possessed at the present moment. In all matters of urgent necessity the visiting justices would have to act, and he doubted not but that they would work as well and as willingly with the Home Office as they did at present. As to the question of patronage, he agreed with those hon. Members who combated the idea of handing it over to the Government, as they alleged this Bill proposed to do. But that was not the case. The nomination of officers to be employed would remain, as at present, with the local authorities, the only difference being, that under the Bill all appointments would be subject to the control of the Secretary of State for the Home Department. The officials would become civil servants, and would be members of a general prison staff, to be employed and promoted as they deserved in any of the prisons of the country. It would be impossible to work such a system as this without a general plan of promotion, and by it the present system would be made more efficient. Several hon. Members who addressed the House said the Bill would have the effect of handing over or confiscating the property in the prisons. But that also was a mistake. By the Bill the prisons would remain, as they now were, nominally the property of the Crown, and the relief the Government proposed to give was simply that of the expenditure of the gaol. The Bill did not relieve the local authorities from their original obligation to provide the prisons, in the first instance, and the only change would be that aslong as the prison continued to be used as such, so long would it remain in the name of the Home Secretary as trustee for that county. For his own part, he believed the Bill to be a good one, and that it would do that justice to local taxation so long demanded at the hands of that House. He believed that it was the outcome of the Prisons Bill of 1865, and he believed also that by it the Home Secretary would be able to carry into effect a better classification as to labour, and by increasing industrial labour it would do much to diminish crime in the future. He could not believe that when a man had been taught a trade in prison he would not in many cases attempt to gain an honest living when he came out. He believed that the magistrates would work well under the Home Secretary, and that the Bill would be a lasting testimony to the ability of his right hon. Friend who now filled that office.

Mr. CHAMBERLAIN said, he would venture to trouble the House with a few observations with regard to the measure, because the position of the constituency he represented was somewhat different from all those which had been hitherto referred to. Other hon. Members had considered it from the point of one local authority, but in Birmingham two local authorities would be unseated by the measure. Not only would the visiting justices be deprived of the management and control of the prisons which they now enjoyed, but the town council would also be deprived of its control over the financial affairs connected with the gaol. He confessed that he was not at all surprised at the fact that there should be considerable difference of opinion on both sides of the House in respect to the measure. He could sympathize with those divergencies of opinion, for he himself was divided between admiration for the objects which the Home Secretary had in view, and dissatisfaction with regard to the means by which the right hon. Gentleman hoped to achieve his end. He rejoiced, however, with regard to this division of opinion, that it had had the result of securing to them the eloquent advocacy of his hon. Friend the Member for North Warwickshire (Mr. Newdegate.) If he understood the objects which the right hon. Gentleman the Home Secretary had in view, they were chiefly three-fold. He did not attach much importance to the suggestion with regard to the saving in respect of local rates, because the bribe would be a very small one; and secondly, because he thought it would be too dearly purchased. He did not think that a saving of £100,000 in local expenditure was worthy attention if it entailed an increased Imperial expenditure of double that amount. But the right hon. Gentleman, in his efforts to secure uniformity of discipline, would have the hearty support of every magistrate in the United Kingdom. All of them must feel the importance of any measure securing that result. Not less important was the abolition of unnecessary gaols, and the consequent reduction of expenditure and labour. Lastly, it was important to settle the vexed question of the character of prison labour, and to remedy the undoubted injustice which existed in consequence of the concentration of this labour upon one or two trades which it entirely disturbed. He understood, with regard to this last point, that the right hon. Gentleman had pledged himself to find a remedy, and he (Mr. Chamberlain) had no doubt that justice would be meted out to those who had a claim to it. But he could not support the second reading of the Bill in reference to this matter, because he could not find any provisions in the Bill which would give the remedy sought. And as regarded the other objects, they were purchased at too high a price, at the expense of a distinct slur on local government and management. In the first place, it appeared that the patronage of all these local institutions was to be vested, as regarded the chief offiicials, in the hands of the Secretary of State, and as regarded the subordinate officials, in the hands of the Prison Commission, on the nomination of the visiting committee. This plan combined all possible objections, for on the one hand, if there was any reason to anticipate local jobbery or favouritism, there would be room for its exercise. On the other hand, if there was merely a nomination by the local authority, and not election, there would not be local supervision. As regarded the financial arrangements, those were to be taken from the town councils in boroughs where there were gaols, or from the visiting committee of justices in the county, and placed also in the hands of the Prison Commission. He had considerable experience of Government contracts, and while, on the one hand, he had never seen the slightest reason for believing in the existence of any fraud on the part of Government officials, while he found that manufacturers and others had been treated with courtesy and consideration by the Government, yet he was convinced that no system could be devised which was less competent to secure the best article at the lowest price. It would not compare for a moment with the advantages enjoyed by local authorities doing similar work and possessing multifarious sources of knowledge. These were his chief objections. The hon. Member for Burnley (Mr. Rylands) had spoken of the enormous increase in the expenditure likely to result from the transfer. To that he (Mr. Chamberlain) attached only a secondary importance. What he looked at chiefly was the dignity of their local life. It was quite true that the Bill proposed to preserve some of the authority of the visiting justices. The hon. Baronet the Under Secretary of State (Sir Henry Selwin-Ibbetson) had thought it necessary to speak in defence of the visiting justices, and anticipated their willingness to accept the functions entrusted to them; but he (Mr. Chamberlain) thought that if the Bill became law the visiting justices would have great occasion to defend themselves for their very existence. They might become ornamental, but would not be considered useful. Duties were still to be imposed on those gentlemen, which, although necessary, were not of a high character, and from time to time they were to visit the prisons, but all knew how purely formal those visits to the gaols would become. They were to report upon any abuses they might find in the prisons; but he need scarcely say that when all the prisons were under the authority and management of the Secretary of State and the Prison Commissioners, no abuses would exist. They might report if necessary upon any urgent need of repairs in prisons; if a drain required alteration, or a slate were loosened by a hurricane—they might report upon such things, but they had not the power to have the repairs done. They might take cognizance of a pressing necessity, but would have no further power. The functions left to the visiting justices would be limited, and almost of a contemptible character. But there was another authority set up in the form of Prison Commissioners, who were to have co-ordinate jurisdiction; two authorities would be working at the same time and for the same object. Although there were these serious objections to the Bill, yet he was bound to admit there were advantages pointed out by the Home Secretary, and he could not have brought himself to vote against the second reading, if he had not perceived an alternative, whereby all the advantages could be secured, and at the same time the authority of the local administration remain intact. Under the Act the Prison Commissioners were, in the exercise of their function, to conform to any direction from time to time made by the Secretary of State. He did not doubt reforms in the management of prisons under the control of Commissioners would result from instructions given by the Home Secretary. But why should not the Home Secretary give those instructions and those regulations for the advantage of the magistrates and visiting justices? It had been said that as the cost of maintaining prisons was to be removed from them so they should have no voice or authority in the management; but, as a matter of fact, though that might be a bribe to some small districts, it was not sufficient to satisfy the majority of local authorities. The Birmingham gaol represented a capital expenditure of £100,000, and that Birmingham was asked to transfer to Her Majesty's Government. That was no insignificant contribution as compared with the annual expenditure upon the prison. The hon. Baronet the Under Secretary of State had combated the term "confiscation," which had been used as describing this enforced contribution from the local authorities, but he confessed that that must be the light in which the measure would generally present itself. If it was not confiscation, at least it was disendowment, to which on that occasion he took very serious objections. If the gaols were to be taken for the sake of convenience and uniformity, why were reformatories and industrial schools excluded by a clause from the operation of the Bill? They were left under the control of their voluntary subscribers. For the reasons which he had given, he would vote against the Bill; and it was with pleasure he found the hon. Member for North Warwickshire (Mr. Newdegate) joining with him against the radical and revolutionary proceedings of Her Majesty's Government.

Sir WALTER BARTTELOT said, that it was of course more agreeable to support any measure proposed by those whom one generally was proud to serve under and to follow. But it was the duty of men calling themselves independent when they conscientiously differed from their Leaders that they should express fully their views, without which no man was worthy of a seat in that House. He accordingly did so, and at the same time wished to express the pleasure with which he had listened to the views of the last speaker, expressed as they were with a convincing calmness, which was so acceptable in that House. One of his main objections to the Bill was, that it interfered with the local self-government of which they were all so proud, and he had hoped that his right hon. Friend the Home Secretary would have been satisfied with his victory last Session, and would have made more concessions to his opponents now. Although the Bill had certainly been improved in some respects, yet it was not improved in the way they had hoped it would be. In introducing the Bill this Session his right hon. Friend shadowed forth great improvements which did not appear to have been made, and certainly not to the extent expected; he had provided, no doubt, for short imprisonments for minor offences as he stated last year he intended to do. It was manifest that in such cases in which money payments could be substituted for imprisonment, people ought to be confined as far as possible in their own localities, so that they could communicate with the friends who might release them from imprisonment. This, no doubt, was a great improvement. In cases of imprisonment for three months, the last two were to be employed in remunerative labour or the learning of trade. This was good as far as it went; but it involved the danger that in the effort to make gaols pay the labour would not be so deterrent as it ought to be. Another point conceded was this—that small towns and places requiring accommodation for their prisoners would have to pay, and the larger towns and places in which the gaols were situated which afforded that extra accommodation would receive the payment. But his hon. Friend the Secretary of State went no further than that. The responsibility would still rest on the local authority to find and maintain the gaols. If the Home Secretary said a gaol was not sufficient, it might be sold, whatever it had cost, and the locality would have to pay for prison accommodation at the rate of £120 per cell, should the sum realized not be sufficient to pay that cost per cell for the accommodation required. He thought that very hard, indeed. They were going to take from the ratepayers of the country what they had subscribed for without giving them any compensation whatever. If that was not confiscation, he did not know what was. If the right hon. Gentleman formerly Secretary of State for War (Lord Cardwell) had come down to the House and said—"I intend to take all your Militia stores without paying for them," no man in that House would have condemned that so much as his right hon. Friend the Secretary of State for the Home Department. That was a parallel case. The question of centralization was a difficult one to argue, no doubt, and it was equally undeniable that there was some centralization in the Act of 1865; but, as the hon. Member for North Northumberland (Mr. Ridley) had stated, it was a centralization of degrees. The main objects of this measure might be carried out by the local authorities, the smaller prisons being scheduled and certain powers given to the Secretary of State; but although he would not say that the Bill was a slur on the visiting justices, it certainly appeared as if the Secretary of State had no confidence that they would carry out the stringent rules and regulations he laid down as well as the Commissioners who were absolutely in his power. The right hon. Gentleman, however, had himself admitted that the Act of 1865 had done great things, and if a similar Act were passed in 1877 there would be no reason to complain of the manner in which the magistrates would carry out their duties; for he (Sir Walter Barttelot) would lay it down as a direct fact that the visiting justices would delight to conform to rules of the Secretary of State, especially when they knew that they were carrying out a discipline which was to be universal. The results of this measure had been fairly shadowed out by the hon. Member for East Gloucestershire (Mr. J. R. Yorke). It would be followed by the centralization of the police. No doubt, many arguments might be adduced in favour of such a measure, especially in the metropolis, where Temple Bar formed the arbitrary limit of two separate and independent systems of police. Again, it would be argued how much better it would be if the county police had jurisdiction over the towns. But it would not stop there. Next would come stipendiary magistrates, though not, perhaps, under a Conservative Government; but they did not know what might happen in the future. He was sorry that it might be said hereafter that a Conservative Government was the first to cast a stone at the magistrates. It was a great pride in many men to become possessors of land so that they might become magistrates, and he was sorry that any blow should have been cast at a body who had been acknowledged to have done such services to the State by his right hon. Friend the present Home Secretary.

MR. GOSCHEN hoped, as several pointed allusions had been made to the course taken by the late Administration with regard to local government reform, he might be allowed to say a few words. The House ought to be congratulated on the fact that the debate had been conducted with conspicuous moderation on both sides, able and interesting speeches having been made, irrespective of Party considerations, by Conservatives who opposed the Government, and by hon. Members on his side of the House who supported the Home Secretary. His hon. Friend the Member for Birmingham (Mr. Chamberlain) had pointed out with great clearness and ability that, so far as the precise objects of the Bill were concerned, many on both sides wished to see them carried out; and so far as a classification of prisoners was concerned, and so far as administrative reform of the prisons was secured by the Bill, he (Mr. Goschen), for one, thought much was to be said in its favour; and he would further confess that the views expressed by many chairmen of quarter sessions and by many quarter sessions collectively had made a considerable impression on his mind. They considered it a move in the right direction. But it was said the Bill should be discussed by itself and should not be mixed up with local government reform; but the right hon. Gentleman must admit that it had been put forward as part of their scheme of local government reform, and it had been described by the hon. Member for East Gloucestershire (Mr. J. R. Yorke) as a redemption of the pledge given by the Government and an instalment of the debt they had contracted upon this subject. He should like to know from the

Chancellor of the Exchequer what he had to say in answer to that, and also how many other instalments were due. Last year that right hon. Gentleman was pressed to say how many more instalments were due, as considerable sums had already been paid, and something more was to be done this year; but at present it was not known whether this year would bear that strain upon its finances. He (Mr. Goschen) saw that the date mentioned for payments under the Bill was the 1st April, 1878; and seeing that there was an increase of £500,000 in the Civil Service Estimates—which might be still further increased—he thought the Chancellor of the Exchequer, as pointed out the other evening by the Leader of the Opposition, was in his heart grateful to those hon. Members who last year opposed the Bill, because if it had passed it would have imposed an increased charge upon the Revenue of this present year. The Government had thus escaped a difficulty by, what the right hon. Gentleman would pardon him for calling, his *paulo post futurum* system of taxation. Last year the House was told that there was little detail in the Bill, and that few estimates had been prepared in connection with it, because there had not been time in which to do it. A year, however, had passed, and they were still without detailed estimates. Though his right hon. Friend the Member for Pontefract (Mr. Childers) had asked the Home Secretary whether he would not prepare a Paper showing the cost of maintenance, building, and repairs, and how he had arrived at the estimated economies, the House was still without the means of checking the calculations of the right hon. Gentleman. Doubts had been expressed even by the hon. Member for North Northumberland (Mr. Ridley) on the point of economy, and if the right hon. Gentleman rested his case on the economies to be effected by the Bill he feared it would not be passed by the House. The hon. Member for East Gloucestershire stated very frankly that to him relief to local burdens was the great attraction of the Bill. But there was not that difference between the two sides of the House as to the desirability of giving relief to local taxation which hon. Members opposite supposed; the difference was as to the mode in which relief should be given. They on that (the Opposition) side did not desire that it should be given by continued Imperial grants from the Revenue to local committees. They were not anxious that measures should be brought in to give relief to local taxation which would not be passed upon their own merits; but they were anxious that local government reform should go on side by side with relief to local taxation. Their protest against the Bill last year was in part directed against the course which the Government had pursued from the first moment they came into office—namely, to pay their debts in a manner which was not consonant with the best system of local government. The hon. Member for North Northumberland in his able speech approved of the protests constantly made against centralization, and hoped it would be carried no further, and he did not take the view that the protests against it were an empty cry. Again, the hon. Member, making a distinct protest against the views of hon. Members below the Gangway, said he was not in favour of the transfer of the police; and he (Mr. Goschen) was delighted to see from the manner in which the remark was cheered by right hon. Gentlemen opposite that it was not one of the modes in which local taxation was to be relieved by Her Majesty's Government. But his hon. Friend went on to say—"Look at this measure by itself; it is a good measure, and therefore do not let us be carried away by the cry of 'centralization.'" He (Mr. Goschen) hoped the House would pardon him if he made this observation, that it was too much the tendency of this House of Commons to look at every measure only by itself—not to look back to precedents or forward to consequences, but to say—"This is a good thing in itself; let us do it because it is good, and not be led away by any general arguments. Let us not look back to precedents, because precedents are musty; nor forward to consequences, because consequences may be visionary." But he looked to the political character of this measure, and the House would pardon him if he protested against it, because, however good in itself, it was part and parcel of the legislation going in a dangerous direction. His right hon. Friend the Member for Sandwich (Mr. Knatchbull-Hugessen) had said—"What is centralization? It is simply the concentration of power in the Government;

and if the Government have the means to do good why should we object?" He (Mr. Goschen) did not object to the Government having more power, but he did object to anything which, as had been said by his hon. Friend the Member for Birmingham (Mr. Chamberlain), in any way diminished the dignity of local life and institutions. He objected to a diminution of local activity, and to the doctrine that because the State was able to do a thing equally well it was wise for the State to undertake it. His doctrine was the contrary. It was this—"Let the localities perform as much work as they can; draw into the service of the State as many men belonging to as many classes as it can, fasten on them fresh responsibilities, and increase the dignity of their local life, and do not say because the State would do it equally well we must, therefore, transfer to it functions which have long been well performed by the localities." It was well known that this House was year by year becoming more overworked, the demands on the House were daily increasing, and with those demands, with all its industry, it was not able to keep pace. Panaceas had been proposed for that overwork which he entirely repudiated and rejected, and among them, it was proposed that the work of Parliament should be diminished by the separate countries which composed the United Kingdom apportioning that work among themselves, but that was not the way in which to relieve the work of Parliament. He wished to see the Imperial Parliament relieved, but he was not for any modified Home Rule. There was a talk of Home Rule; but he knew only of one "home"—the United Kingdom of Great Britain and Ireland; he knew only of one "Rule"—the Imperial rule of the Lords and Commons of this Realm; and he would not by an indulgent or wearied turn of the windlass loosen the chain which bound all parts of the Empire together. It was by other means that he would seek to relieve the heavy work which Parliament had to perform. The way in which he would do so—if it was to be relieved—was by strengthening all local institutions, by increasing local work; by county organizations and municipalities and local bodies of the country generally undertaking duties which Parliament was not able to perform. His right hon. Friend the Member for Sandwich asked whether we had got institutions which could perform these functions. No, we had not, but he wanted to establish them. We did not want merely County Financial Boards, but local institutions through the length and breath of the land which would be able to cope with the work which the country wished to have done. He was sorry to see work for local purposes, for financial purposes, for administrative purposes, and which would re-invigorate the counties, taken away from the local authorities and thrown on the Imperial Government. Allusion had been made to the schemes of the late Ministry for local Government. Certainly the late Government had an ideal before them and a plan which they were anxious to carry out in its integrity. They had no time to carry it out, but their ideal was this—that they should work up to a general reform of their own institutions. They knew what they wanted, and knew now what they meant. The present Government, however, were dealing piecemeal with the question; and, without desiring to subject Her Majesty's Government to adverse criticism, he contended that there was danger in going on passing measure by measure, even if the whole of them were in the same direction, unless they drew attention to what they were doing and looked the situation fairly in the face. It was not his desire to embarrass the Government upon this particular question, especially after what had occurred at quarter sessions, which, as he had said, had made a great impression upon his mind. He did not see in the Bill any economy, though there might be administrative improvement. But he did wish to know the mind of the Government upon this question. What was the "debt" which hon. Gentlemen opposite below the Gangway said was owing by the State to local ratepayers? How much did the State owe, and what would satisfy hon. Gentlemen? Were they going Session after Session to demand further instalments, or had we at last reached the extreme limit both of centralization and of sops given on account of local taxation out of Imperial funds? These were material questions. At the same time, looking at the general opinion of the country, he did not see that it was necessary to carry their opposition to this particular measure beyond a protest against the general policy of Her

Majesty's Government upon this subject.

Mr. ASSHETON CROSS wished to join in the congratulations of the right hon. Gentleman the Member for the City of London (Mr. Goschen) as to the manner in which from beginning to end the debate had been conducted. Notwithstanding that it had been his misfortune to find several valued supporters of the Government differing with him upon the merits of the Bill, he could not help being struck with the moderation of the tone in which the measure had been discussed on both sides of the House. He had no desire to take the debate out of the line in which it had hitherto been conducted; but, without wishing to raise a disturbance on the points elucidated by the right hon. Gentleman opposite, he was anxious to say a few words in reply. The right hon. Gentleman had called attention, and objected in the first place, to the fact that the Bill was not to come into operation till April 1, 1878, so far as any great expense was concerned, though Commissioners must be appointed some time before. The reason for the delay was not on account of the financial operation of the Bill, but because, whenever such a measure was passed, it would be quite impossible for the Government to take over the prisons from the time of its passing. It would be necessary for Commissioners to go carefully into the circumstances of each prison in order to arrange for taking the whole over at some future date. In the next place, the right hon. Gentleman hinted that the Chancellor of the Exchequer had rather given way to *paulo post futurum* legislation or expenditure. He could not help reminding the right hon. Gentleman, however, that not very long since, in the very place in which he now stood, Lord Cardwell, as Secretary for War, proposed a charge for the abolition of Purchase which extended over a very considerable period. Again, Lord Cardwell contemplated the formation of an Army of Reserve which in the course of 12 years was to cost a considerable sum; and no one could forget the Education Act of 1870, under which the State had already contributed £1,500,000, besides £8,000,000 which had fallen, unfortunately, upon local taxation. These were questions involving millions; and when he came to speak of what was by comparison a paltry sum of £250,000, he did not think that the present Government could fairly be charged with any ulterior object in postponing the operation of the financial portion of the Bill till April, 1878. The right hon. Gentleman further said that what he wanted from the Government was some comprehensive scheme of county administration and reform, and that the late Government had a definite plan in their minds, and knew what they meant. Now, he (Mr. Cross) thought the House would agree with him that if they had a plan they never told the country what it was, and if they knew themselves what they meant they took care not to let the House into the secret. Then the right hon. Gentleman said the Government should have kept this plan in reserve, because then, when our comprehensive scheme of local reform was proposed, we should have a bribe to offer the local ratepayers. Now, he was rather sorry that the right hon. Gentleman had referred to what he (Mr. Cross) should disdain to call a bribe. Then there was the fear of centralization. He would not yield to any man in his intense admiration and love for local self-government. In his opinion, it was the great strength of this country. Nothing had made our country stronger or our Constitution more likely to last than the great freedom of local self-government, which had been given not only to bodies in the country, but to our municipalities. He assured the House that he would never take one step wittingly to infringe upon the system of local self-government. He was for extending it as far as possible, in order that the several localities might be free to govern themselves according to their several wants and requirements. He was as strong an advocate as the right hon. Gentleman could be for drawing into local institutions with that view men of all ranks and classes. And he might remind the House that the Government had taken considerable steps in that direction already. They had thrown a great amount of burden upon the localities. What, he might ask, would be done by the Education Act of last year? What had they done by the sanitary legislation of last year? For his part, he was entirely in favour of throwing upon the localities the expense of everything that was necessary and suitable for their management; but there was one thing in which the reason for throwing expense upon the localities failed. They could not do so where the object in view was to obtain uniformity of management, discipline, and punishment throughout the country as in the case of gaols. If they threw those duties broadcast over the whole country the variety they got was fatal to uniformity. Therefore, in taking the management of the prisons out of the hands of the localities, he contended that he was not depriving them of any power which they ought to possess. The hon. Member for Burnley (Mr. Rylands) said, that one motive for the promoting of this Bill was that the officials of the Home Office wanted to get power and patronage into their hands. So far as he was concerned he could state that such a motive never crossed his mind. [Mr. RYLANDS: I never said it did.] The only object which he had from beginning to end in the Bill was to promote in the prisons of the country that uniformity of discipline, punishment, and management which he believed essential to the proper carrying out of the law. But the right hon. Gentleman the Member for the City of London (Mr. Goschen) asked where would those instalments end, and how many were to follow; and it was suggested by some hon. Members that the police might be next dealt with. Well, on that subject he might state that the police stood on a totally different footing from the prisons; and that, in his opinion, although in regard to the police there were certain anomalies which ought to be remedied, the circumstances of the case referring to that body were wholly different. So long as the law threw upon the municipality or the county the necessity of maintaining order, so long must the localities have the control of the police. Then, as to the question of instalments, he might refer the right hon. Gentleman to a celebrated debate six or seven years ago, from which he would find that they were brought very nearly to an end, and to the speech of his right hon. Friend the Chancellor of the Exchequer in the debate on the Prisons Bill last year, from which the right hon. Gentleman would be able to draw his own conclusions. But the hon. Member for Burnley said, that the Bill would destroy the patronage of the visiting justices, and last year the hon. Gentleman the late Lord Mayor (Mr. Alderman Cotton) inveighed very strongly against the dignity and privileges of the City of London being interfered with. [Mr. Alderman COTTON: Of the magistrates generally.] Of course, including those of the City of London. But really, as a matter of common sense, could they talk of "dignity and privileges" in reference to the custody of 18,000, or 20,000, or any number of prisoners? He would ask the hon. Member for Burnley and his hon. Friend the late Lord Mayor could they seriously speak of the dignity and privileges of magistrates being interfered with because the prisons were, as the Bill proposed, about to be taken from their jurisdiction? It was a very disagreeable duty which was imposed upon the magistrates by the statute, and they had discharged it not only to the best of their ability, but to the advantage of the country; but he could not understand how it was a dignity or a privilege. If it were an infringement of the dignity or privilege of the local magistracy to take prisons containing 18,000 prisoners out of their jurisdiction, was it not equally so for the State to take the control of 10,000 convict prisoners from them, as it had done for years, or even for the Judges to sentence a criminal to penal servitude in a convict prison, rather than to a short term of imprisonment? Where was the line to be drawn? Of this he was sure—that the House and the magistracy throughout the country would see that the argument which had been so urged could not stand for a moment. The hon. Baronet the Member for Maidstone (Sir Sydney Waterlow) said he did not think any material saving would be effected by the Bill. Well, he (Mr. Assheton Cross) had never brought it forward as a measure especially intended to promote economy. He believed, however, that it would effect great economy and a considerable relief to local burdens; but his main object had been an improvement in the discipline of gaols, and combined with that a relief to local burdens. On the average of five or six years the total expenditure on prisons amounted to £589,000, and, deducting the interest on the loans, the amount would be £547,700. Of that sum of £547,700 the Government believed that nearly £100,000 might be saved by economy in management. He had said last year that he could not pledge himself that such a saving would be effected, but he believed it was quite possible to be done. The right hon. Gentleman the Member for Pontefract (Mr. Childers) asked last year why Returns on the subject had not been produced, and he could now state that all the necessary information could be obtained from the Papers upon the Table of the House. Estimating the expenditure, therefore, at £497,000 per annum, at the present time £101,000 came out of the public revenue, and £386,000 was provided for by the local rates. According to the calculations he had made, £381,000, instead of £101,000, being an addition of £279,000, would have to be provided for out of Imperial taxation, as against £386,000, which would be saved to the local ratepayers. The hon. Baronet the Member for Maidstone had alleged that it was unlikely that the Government would be able to maintain the prisons more cheaply than the local authorities, inasmuch as convict prisons were more expensive comparatively than borough and county prisons were. He might remind the hon. Baronet that there was nothing so deceptive as figures, though, of course, he hoped his own were correct. Convict prisons were exceptionally expensive. The men were under long sentences, had heavy work, and therefore required to be well fed, and the officers had greater responsibility thrown upon them and had to suffer greater expense, and therefore they had to be better paid. In addition to the cost of the conveyance of prisoners and providing them with new liberty clothing and gratuities on their discharge, the transfer of officers had to borne by them. All those items made a considerable difference when the average cost of each prisoner was struck and was compared with that of prisoners in other gaols. The average cost for a considerable number of years of 18,000 prisoners in county and borough gaols amounted to £23 17*s.* 6*d.* against £30 15*s.* 6*d.* in convict prisons. When, however, the value of the labour came to be taken into account, it appeared that that of the prisoner in county and borough gaols amounted to £3 4*s.* 5*d.*, while that of the prisoner in the convict prison amounted to £19. The hon. Member for Burnley had remarked that it was not fair to compare the value of the labour, because in borough and county gaols so many of the prisoners were only sentenced for a short term, during which the value of their labour was almost *nil;* but he did not think that that argument was supported by the facts. Objection had been taken to the Bill on the score of patronage, and it was said the Government was going to get a large amount of patronage into its own hands, and that the power of nomination to be conferred upon the visiting justices was illusory, because the Government might reject their nominees. He looked upon that, however, as one of the merits of the case, for the subordinate officials would all be members of one service, and it was most desirable that the subordinate should be appointed not to a particular gaol, but to the service, so that they might have an incentive to do their work efficiently and might be transferred from gaol to gaol as their merits deserved. A great number of men would have the opportunity of entering into the service, and the probability was that a considerable number of them would be very good men. Another objection that had been taken to the Bill referred to the position of the visiting justices; but he must remark that if the country was to spend the money on the gaols, it must have the control of them. He had, however, said from the first that the Government would not be able to carry on the prisons throughout the country without the assistance of the visiting justices. If hon. Gentlemen would look at the Schedule of the Gaol Act of 1865, they would find that a great number of things in a prison had to be done by the authority of some one on the spot, and for which it would be impossible to send up to London for instruction. If any hon. Member thought the visiting justices were nominally to be done away with because all their duties were prescribed for them, he would find himself very much mistaken. The magistrates would still have to see that all the rules laid down by the Secretary of State were carried out by the officers. The hon. Member for Birmingham (Mr. Chamberlain) said he would vote for the second reading of this Bill, if he had not got an alternative which he thought would be better. He wanted to preserve local jurisdiction, local control, local self-government. That was his sole object, otherwise he would vote for the Bill. What was his alternative? Why this—that if the Secretary of State would draw up all the rules that were to be observed by the visiting justices they would obey them. But if all the rules were to be drawn up by the Secretary of State, where was the local self-government? Local self-government and local control were preserved in the Bill, and therefore the alternative which the hon. Member for Birmingham had proposed had fallen down, and he (Mr. Cross) claimed his vote. He must for a moment refer to what fell from his hon. Friend the Member for North Warwickshire (Mr. Newdegate). His hon. Friend took a constitutional position. He said gaols now would be subject to arbitrary rules of the Secretary of State and would not be regulated by law. But his hon. Friend was in error, because if ever there was an Act in which minute directions were given for the enforcement of it, it was the Act of 1865. That Act would not be repealed by this Bill, but incorporated with it, and the Secretary of State would be just as much bound by the provisions of the Act of 1865 as the courts of quarter sessions were. He contended that no arbitrary rules could be drawn up by the Secretary of State, because he would be strictly tied down by the Act of 1865. Only one word more as to magistrates and gaols. His hon. Friend said the Bill would interfere with Common Law, and quoted Lord Coke; but Lord Coke had laid it down that gaols could only be erected by the authority of Parliament. [MR. NEWDEGATE: May I ask the right hon. Gentleman to read the words of Lord Coke?] Lord Coke's words were—

> "The principle of law is that the public liberty and welfare require that gaols should only be erected by the authority of Parliament."

Gaols, therefore, were always created by statute. But statutes could abolish them without interfering with the Common Law. Equally, so far as the justices were concerned, they had no power by Common Law over the gaols, and all these particular duties had been put upon the justices by Acts of Parliament. But the Common Law rights of the justices were not interfered with, only the statutory powers which they had had been granted to them for the performance of certain duties. He quite granted that in many cases justices had most admirably performed their duties, but—and here it was he found the only fault—justices, being totally separate and independent bodies, had no means of knowing what was going on in those parts of the country over which they had not jurisdiction, and therefore there were no means of insuring uniformity of discipline in gaols. That was really the whole of the Bill. Its objects were to effect an improvement in discipline and secure uniformity in management. He believed that that would lead to a saving of expense, and, as a subsidiary result, be a great relief of local burdens. If, as he hoped, he had shown all these improvements could be made without any great radical change, and he did not believe there would be any such change, he hoped the Bill would be read a second time that night, as in the last Session of Parliament, by an overwhelming majority.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 279; Noes 69: Majority 210.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

PRISONS (IRELAND) BILL—[BILL 4.]

(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Michael Hicks-Beach.*)

MR. M'CARTHY DOWNING said, he was glad that the Irish Bill was on the same lines as the English measure, and that it would put an end in Ireland to a system that had long been in operation. The Grand Juries there appointed a Board of Superintendence, the composition of which was of a character he would not enter upon, but it was that Board who had the charge of the prisons. He should, however, like to know why the appointment of the visiting justices there should not be made as in England by quarter sessions, and why the powers to be given were not the same as those extended to the English visiting justices. Taking the case of the county of Cork, he ask how was it possible to carry on the administration of justice if there were only one prison? The distance to which prisoners would have to be sent was as much as 50 miles, which was very objectionable.

Dr. WARD objected to industrial schools being placed under the same management as the criminal establishments. He hoped the Chief Secretary would see his way to removing that objectionable feature, but in other respects he considered the Bill an excellent one.

Sir MICHAEL HICKS - BEACH said, that one of the Inspectors of County Prisons in Ireland happened also to be Inspector of Industrial Schools, and bearing that in mind it had occurred to him that there was no reason why the same duties now performed by that gentleman should not be performed by others. It was, however, he admitted a question quite open to discussion. He had left the appointment of visiting justices in the hands of the Grand Jury, because there was no meeting of the magistrates in Ireland at all analogous to that of the quarter sessions in England. As to another point, whether power should not be given to visiting justices to nominate persons to subordinate positions, it was a question which might be fairly discussed in Committee, and if then any practical method of introducing such a provision into Ireland could be shown, all he could say was that he would look upon it favourably. The hon. Member for Cork (Mr. M'Carthy Downing) spoke of the inconvenience arising from sending prisoners remanded for a few days to the county gaols. He was quite aware of the inconvenience, and he did not intend to inflict it upon the country. The Bridewells would be retained as the lock-up was in England, and for the same purposes, and accommodation would be provided in the different districts for remand cases. He hoped the second reading would pass, and details be dealt with in Committee.

Mr. BROOKS had hoped to hear an intimation that the rights of the Dublin Municipal Council in this matter would be respected.

Captain NOLAN expressed it to be his intention to vote for the second reading, although he looked upon the Bill as containing some objectionable provisions, and as tending rather too much in the direction of centralization. It had the merit, however, that it would relieve the people of Ireland of a very considerable amount of taxation.

Mr. BIGGAR said, he thought the proper way to deal with the question would be to improve the Grand Jury system rather than interfere with the principle of local self-government. He did not think there would be any great saving when they came to put the measure into operation; and with regard to the mode of employing prisoners, he urged the necessity of caution in that matter, especially considering the outcry that was being raised against the interference of prison labour with the outdoor trades.

Mr. PARNELL thought the Irish Members ought to pause before they expressed entire approval of the Bill. At the same time, opposition to it from them might be misunderstood in Ireland, where it was generally supposed that the measure would relieve the county ratepayers from considerable burdens. He would have preferred that the Bill should be delayed for a month or two, so as to give time to the Irish people to understand thoroughly its provisions. He confessed that he was in a difficulty with regard to the measure, but he certainly did not like its principles so far as it affected the question of local self-government. With regard to the reformatory schools that had been referred to, that was an important matter, and he hoped a clause would be introduced during the progress of the Bill by which those institutions might be freed from the opprobium of being regarded in the same light as the prisons of the country. The industrial question was also one that required grave consideration; and he thought that in any general rearrangement of the prisons system of Ireland, the matter should not be overlooked by the Government. There was no doubt the agencies established for the sale of prison-made articles had been a serious injury to the artizans who were engaged in the manufacture of same goods. He thought the Irish people ought to consider very carefully whether the benefit they would derive from the Bill would be commensurate with the evil results it would bring about.

Mr. O'SULLIVAN said, he could state from his own sad experience that he had suffered more in one month's imprisonment in the prison of his own county than he had in seven months in the Government prison of Mountjoy, Dublin. From time immemorial the principle he suffered under had prevailed, and for that reason he supported the Bill. During the months he spent at Mountjoy he was not insulted or persecuted. Prisoners there were treated in a very different way. His own experience, therefore, afforded a good reason for the amalgamation of prisons in Ireland. Another reason why he would support the Bill was, that he regarded it as a measure of economy which would give relief to the ratepayers.

MAJOR O'GORMAN moved the Adjournment of the Debate. He did not believe in the kind intentions of the Government after their conduct the previous night in putting up officers on the very front bench to talk against time.

MR. O'BYRNE seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." (*Major O' Gorman.*)

SIR MICHAEL HICKS-BEACH could not admit there had been any talking against time on the occasion referred to, and he trusted the hon. and gallant Member would not persist in his Motion. The debate had proceeded very fairly; all the hon. Members who had spoken had been more or less favourable to the Bill; and if the hon. and gallant Member for Waterford had any arguments to advance against it he was sure the House would gladly listen to him.

Question put.

The House *divided:*—Ayes 5; Noes 199: Majority 194.

Main Question put, and *agreed to.*

Bill read a second time.

CAPTAIN NOLAN hoped the Committee would be put off for some time, as the people in Ireland knew nothing about the Bill, and hon. Members would shortly have to attend the Grand Juries at the Assizes in Ireland.

MR. PARNELL thought the business of the nation should be attended to before the local affairs of counties in Ireland, and thus the attendance at the Grand Juries was no reason for postponing the Committee.

SIR MICHAEL HICKS-BEACH stated that the Committee would not be taken till after the Committee on the English Bill.

Bill *committed* for *Thursday* next.

TREASURY AND EXCHEQUER BILLS BILL.

On Motion of Mr. CHANCELLOR of the EXCHEQUER, Bill to provide for the preparation, issue, and payment of Treasury Bills, and make further provision respecting Exchequer Bills, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER and Mr. WILLIAM HENRY SMITH.

Bill *presented,* and read the first time. [Bill 88.]

GUN LICENCE ACT (1870) AMENDMENT BILL.

On Motion of Sir ALEXANDER GORDON, Bill to amend "The Gun Licence Act, 1870," *ordered* to be brought in by Sir ALEXANDER GORDON, Mr. M'LAGAN, and Mr. MARK STEWART.

Bill *presented,* and read the first time. [Bill 89.]

House adjourned at One o'clock.

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HOUSE OF LORDS,

Friday, 16*th February,* 1877.

PARLIAMENT—BUSINESS OF THE HOUSE.

OBSERVATIONS. QUESTION.

EARL GRANVILLE: My Lords, I am quite sure that the thinness of your Lordships' House and the state of the Notice Paper for to-night — there not being one single Notice put down — will afford some justification for the Question which I wish to put to the noble Earl the First Lord of the Treasury. I have no doubt he is aware that on many former occasions complaints have been made as to the paucity of legislative business in the House in the early part of the Session. Last Session certainly there was no foundation for such complaints, because several important Bills were introduced in your Lordships' House, and were dealt with by your Lordships in a manner which justified the former complaints. It is a fact, however, that on previous occasions there were such complaints as those to which I have referred, and what I wish to know is, Whether any of the Bills promised by Her Majesty's Government will be introduced in this House? I should also like to know whether the Government intend to introduce a Burials Bill, and if so, at what period it is likely to be introduced?

THE EARL OF BEACONSFIELD: My Lords, I quite agree with the noble Earl that it is desirable that the Business of Parliament should be more equally divided, if it be possible, between the two Houses; but those who have given attention to the subject have all come to the conclusion that it is one of the most difficult arrangements that can be devised. Now, with regard to the present Session, it so happens that most of those Bills which Her Majesty's Government have thought fit to introduce to the consideration of Parliament could not well be introduced in your Lordships' House, in the first instance. Some of those Bills are money Bills: others, upon matters of great importance and interest, have already been submitted to your Lordships' consideration; and it was therefore thought that it was only respectful to the other House of Parliament, when these Bills were introduced again, that they should be submitted to the other House in the first instance. That takes away two classes of measures. Then there are Bills connected with Scotland and also with Ireland, which your Lordships must feel as a general rule would be most conveniently introduced by the Lord Advocate and the Chief Secretary to the Lord Lieutenant. That again reduces the number of Bills from which we can select and introduce in your Lordships' House. The noble Earl (Earl Granville), however, adverted to one subject on which legislation has been promised, and which no doubt may be introduced in the first instance in this House—that is the Burials Bill. My noble Friend the Lord President will introduce a Burials Bill very shortly to your Lordships' consideration. It is not in my power to say the exact day at which it will be done; but I trust that next week I shall be able to inform your Lordships on the point. After the Burials Bill the Lord Chancellor will introduce the Bankruptcy Bill. Both of these measures will deserve your Lordships' consideration; and probably by that time also the labours—the successful labours—of the House of Commons will furnish your Lordships with further materials for deliberation.

TURKEY—THE PAPERS—CONSUL FREEMAN'S REPORT.—QUESTION.

THE MARQUESS OF BATH asked the noble Earl the Secretary of State for Foreign Affairs, Whether he had any objection to lay upon the Table the Report of Mr. Consul Freeman, dated 17th March, 1876, and referred to in Sir Henry Elliot's despatch of the 23rd of November? He believed the Report had been promised to the other House of Parliament, and he presumed the noble Earl would not object to lay it on the Table of that House. Perhaps also the noble Earl would be further able to state when it would be in the hands of their Lordships?

THE EARL OF DERBY said, he had no objection to lay the Report on the Table, and he had no doubt it would be in their Lordships' hands in a few days.

EARL GRANVILLE observed that the Paper had been already presented to the House of Commons, and there was an understanding that when such Papers were presented to the other House they should also be laid on the Table of their Lordships' House.

THE EARL OF DERBY admitted that such was the understanding.

House adjourned at a quarter past
Five o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 16th February, 1877.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee—Ordered—First Reading*—Maritime Contracts* [90].

Resolution [February 15] *reported—Ordered—First Reading*—Customs and Inland Revenue (Duties on Offices and Pensions) * [91].

Ordered—First Reading—Game Laws Amendment (Scotland) (No. 2) * [92].

Select Committee—Sale of Intoxicating Liquors on Sunday (Ireland) * [50], *nominated.*

NAVY—THE PURCHASE DEPARTMENT.

QUESTION.

MR. BAXTER asked the First Lord of the Admiralty, If it is intended to carry out the recommendation of the Select Committee on the Purchases of Public Departments, by placing the Purchases of the Works Department of the Admiralty under the control of the Purchase Department?

MR. HUNT, in reply, said, that the Admiralty were desirous of carrying out the recommendations of the Committee, and that the details were being inquired into, but that the amount involved was very insignificant.

MERCHANT SHIPPING ACT, 1876—THE SCHOONER "MAGGIE."

QUESTION.

MR. MACDONALD asked the President of the Board of Trade, Whether he is aware that the schooner "Magie" or "Maggie," recently arrived at Bristol, has neither deck line nor load line painted upon her, and that, on her recent voyage from Newfoundland, her captain was washed overboard and drowned?

SIR CHARLES ADDERLEY: I am informed, Sir, of the schooner *Maggie*, of 147 tons, having recently arrived at Bristol from Newfoundland, with neither deck-line nor load-line marked on her sides. She had a cargo of fish and oil. I learn from the Casualty Return that during very rough weather on the voyage her captain was washed overboard. The acting captain states that he did not know the law. As she was never entered outwards from the United Kingdom she was not bound by the Act of 1876 to have any load-line. She comes within the deck-line section as a British ship, and we are calling the attention of the Colonial Governments to this point; but as she was a single deck ship this mark was of no consequence in this case. I have just written for, and shall have all particulars concerning this ship to-morrow.

THE CODIFICATION OF THE LAW.

QUESTION.

MR. FORSYTH asked Mr. Chancellor of the Exchequer, Whether, considering the many tentative attempts which have from time to time been made in that direction, and which have hitherto remained without practical result, it is the intention of the Government to take any steps, and if so, what steps, towards the formation of a code or digest of the Civil and Criminal Law of England, or either of them, or any part thereof?

THE ATTORNEY GENERAL: Sir, I am desired to reply to the Question of the hon. and learned Gentleman. It is difficult to exaggerate the importance of the subject alluded to in this Question. In my mind nothing is more desirable than a codification, or, at all events, a consolidation of the law of England, and especially it is desirable to codify or consolidate that portion of the law which relates to crimes and offences and criminal procedure. The subject is, however, one of great difficulty. It is now undergoing very careful consideration by the Lord Chancellor and the Law Officers of the Crown, in conjunction with the Statute Law Revision Committee.

TURKEY AND RUSSIA—PRINCE GORTCHAKOFF'S CIRCULAR.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether he can, without detriment to the public service, inform the House if it is the intention of Her Majesty's Government to return an answer to Prince Gortchakoff's Circular to the Great Powers?

MR. BOURKE: In answer, Sir, to the Question of the hon. Baronet, I have to state that it is the intention of Her Majesty's Government to reply to the Circular of Prince Gortchakoff, but the date at which that reply will be sent will depend upon the course of events. In the first place, a change of Government has taken place in Constantinople. In the second place, negotiations at this moment are going on between Turkey on the one hand, and Servia and Montenegro on the other, for the restoration of peace. Thirdly, as a matter of European interest, it is desirable that before Her Majesty's Government have expressed their own views they should know something of the views entertained by the other Courts of Europe.

THE NEW FOREST—LEGISLATION. QUESTION.

Earl PERCY asked the Secretary to the Treasury, Whether it is the intention of Her Majesty's Government to introduce a Bill this Session with reference to the Crown Lands in the New Forest?

Mr. W. H. SMITH, in reply, said, that it was the intention of the Government to introduce a Bill upon the subject shortly.

CLEOPATRA'S NEEDLE.—QUESTION.

Mr. BOORD asked the Under Secretary of State for Foreign Affairs, If he will state the conditions on which the Egyptian Government are prepared to sanction the removal of the obelisk known as "Cleopatra's Needle" to this Country; and, whether they are such as Her Majesty's Government can agree to?

Mr. BOURKE: Sir, the Foreign Office has, strictly speaking, no precise information as to the conditions referred to in the Question of my hon. Friend; but it has been informed by persons interested in the matter that the Khedive is willing to consent to the removal to this country of Cleopatra's Needle provided Her Majesty's Government will accept the custody of the obelisk when erected. The question of accepting the custody of the obelisk, supposing it to be brought over, is under the consideration of the Treasury.

SURGEONS OF THE VOLUNTEER FORCE.—QUESTION.

Mr. HERBERT asked, Whether it is the intention of the Secretary of State for War to grant the request of the surgeons of the Volunteer Force, and give them the instructions necessary to enable them to teach a certain number of men of their respective regiments the difficult duty of carrying sick and wounded men in case of war; and, whether such instructions are carried on in the Army generally?

Mr. GATHORNE HARDY, in reply, said, the subject referred to was under consideration at the War Office, and when reported on, it would come under his notice. At Aldershot a certain number of men of the Army Hospital Corps had been trained to this duty; but such instruction was not given throughout the Army generally.

TURKEY AND SERVIA—THE JEWS AND ARMENIANS.—QUESTION.

Mr. Serjeant SIMON asked the Under Secretary of State for Foreign Affairs, Whether it is true, according to the statement which has appeared in a leading daily paper, that Servia has expressed her determination not to agree to the proposal made by Turkey, as one of the conditions of peace, for Servia to admit the Armenian Christians and the Jews to the same equal rights as the rest of her subjects; and, if so, whether Her Majesty's Government have made any representations to the Servian Government on the subject?

Mr. BOURKE: Sir, Her Majesty's Government have no precise information on the subject; but they have been informed by telegram from the Chargé de Affaires at Constantinople that one of the bases proposed by Turkey to Servia was that the Jews and Armenians should receive equal religious and civil liberty with the Natives of Servia. Mr. White, Her Majesty's Agent at Belgrade, has been told to use his best endeavours to bring about an understanding between Turkey and Servia, and he reported on the 14th inst. that Servia had accepted certain of the Turkish proposals, and had replied on this particular point that the position of the Jews should depend on future Servian legislation. We have heard since that the Servian Assembly is about to meet; and therefore the condition of the Jews in the future of Servia will depend upon the legislation that will be carried out by that Assembly. Her Majesty's Government, I need not remind my hon. and learned Friend, have at all times done their best to procure justice for the Jews both of Servia and Roumania, and the House and my hon. and learned Friend may be quite assured that Her Majesty's Government will lose no opportunity of pressing their views on that subject upon the Servian Government.

MERCANTILE MARINE—TRAINING SHIPS.—QUESTION.

Mr. PALMER asked the President of the Board of Trade, If it be the intention of the Government to bring in a Bill to encourage the establishment of training ships for the purpose of ensuring a better supply of qualified seamen?

SIR CHARLES ADDERLEY: A good deal, Sir, is being done by the Admiralty increasing the number of ships lent for the purpose of training boys, and in the encouragement given to the Boy Class of Naval Reserve. Eight out of 16 of these ships get aid from public money as industrial schools; some are pauper schools, and might get aid from poor rates, but do not. I attempted to introduce clauses in the Merchant Shipping Act for giving all ships training boys for the Merchant Service aid from the Mercantile Marine Fund, but I do not see my way to giving them any very effectual aid in that way at present. I shall be very glad to get encouragement from the shipowners to propose a small fee, under careful conditions, on engaging crews at the shipping offices, but the shipping interest is not sufficiently flourishing at this moment for me to suggest this without such encouragement. I do not think the system of compulsory apprenticeship which existed before the repeal of the Navigation Laws can ever be revived.

TENANTS OF CHURCH LANDS, IRELAND.—QUESTION.

MR. PARNELL asked the Chief Secretary for Ireland, Whether he is prepared to lay upon the Table of the House the documents referred to by him on Wednesday last, in which the Irish Church Commissioners suggest the inconvenience of the present mode of dealing with the tenants of Church lands as to the purchase of their holdings; and, whether, having regard to the admitted inconvenience of the present mode of dealing with these tenants, and the admitted advisability of some modification with regard to such transactions in future, the Government is prepared to introduce a Bill on the subject during this Session, and to recommend to the Commissioners the suspension of sales of Church lands in possession of tenants until some legislation takes place in reference thereto?

SIR MICHAEL HICKS-BEACH: The hon. Member, I think, must have misunderstood my remarks on Wednesday. The document referred to by no means suggested any inconvenience in the present mode of dealing with tenants of Church lands as to the purchase of their holdings, but objected to the Bill of the hon. Member. I do not think it was intended for publication, and therefore I carefully avoided quoting from it during the debate on Wednesday. It was written 11 months ago, and I do not think that, in present circumstances, any useful purpose would be served by laying it on the Table of the House. The Report of the Commissioners for 1876, which was only published yesterday, states that of 8,432 persons who were on their books as tenants when the Church property vested in them, 4,536 had up to the end of 1876 become absolute proprietors of their holdings under the provisions of the existing law, and that this number will be increased during the present year, as the issue of offers to tenants is still going on, and the sales of the property that was brought into the Landed Estates Court will be proceeded with. The Commissioners in their Report, referring to the above facts, allude, and I think with much reason, to the general success of the plan of creating a class of small proprietors out of a body of poor tenant-farmers. I was unable, from want of time, to obtain this information before the debate on Wednesday. But I think the House will be of opinion that it by no means bears out the assumption of the hon. Member as to the admitted inconvenience of the present mode of dealing with these tenants, or the expediency of some modification with regard to such transactions in future. I cannot undertake to introduce a Bill on the subject, nor do I feel that I have any right to make such a recommendation to the Commissioners as the hon. Member desires. But I will communicate with the Commissioners, as I promised to do; though, as the hon. Member chose to press his Bill to a Division, I might fairly consider myself absolved from that promise, if I did not desire that every facility should be given to these tenants to become owners, so far as is consistent with a fair price being paid for the land, and proper security for the payment of the purchase-money.

MR. PARNELL: In consequence of the unsatisfactory nature of the reply of the right hon. Baronet, I will on an early day move, that it is unjust and inconsistent with the spirit of the Irish Church Act and the declaration of the Commissioners, to proceed with the sale of the thousand farms which still remain undisposed of, until a measure to remedy the said inconvenience and thereby facilitate the purchase by occupying tenants is enacted.

THE ARCTIC EXPEDITION—EXTRA LEAVE.—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, If he would state to the House why the officers and men of the late Arctic Expedition were granted six weeks' full pay leave, after they had previously been granted three weeks' leave with double pay, the regulations of the service only allowing six weeks' leave after two years' foreign service, the Arctic Expedition not having been absent eighteen months from England; and, whether he has any objection to place upon the Table of the House the Admiralty Minute granting six weeks' full pay leave to the officers?

MR. HUNT: Sir, in consequence of the exceptional character of the services of the Arctic Expedition, and the fact that during the 18 months in which they were absent from England no leave could be given to the crews of the Arctic ships, three weeks' extra leave on full pay was granted to the officers and men, and I am sure that no Member of this House will grudge that little indulgence.

CAPTAIN PIM: The right hon. Gentleman did not answer the last part of my Question.

MR. HUNT: I have no objection to the production of the Admiralty Minute, but its production would give no further information to the hon. and gallant Member than I have already given.

AFRICA (WEST COAST)—THE GAMBIA. QUESTION.

MR. ALDERMAN M'ARTHUR asked the Under Secretary of State for the Colonies, Whether it is true, as stated in the "Daily News" of Thursday, February 15th, that Lord Carnarvon has ordered the Administrator of the Gambia to give notice to the British merchants at Bathurst that protection is now to be withdrawn from the trade in the River Gambia above M'Carthy's Island; and, if so, whether he will lay the Correspondence on the subject upon the Table of the House?

MR. J. LOWTHER: Sir, the notice to which the hon. Gentleman refers cannot properly be termed a withdrawal of protection to trade in the River Gambia, as no such protection was ever guaranteed above M'Carthy's Island. The circular issued by the Administrator merely renews the caution repeatedly given to traders that in going beyond that limit they do so at their own risk. The so-called Treaty of 1829, by which land was proposed to be ceded above M'Carthy's Island, was negotiated without the sanction of the then Secretary of State, was summarily disapproved, and consequently has never had any validity.

THE MAGISTRACY, IRELAND — APPOINTMENT OF MR. W. J. DEVLIN. QUESTION.

MR. FAY asked the Chief Secretary for Ireland, Whether his attention had been called to a Correspondence which lately appeared in the public press of Ireland, to the effect that a person named William James Devlin, now an absconded bankrupt, has been recently appointed a justice of the peace for the county of Tyrone, his recommendation, according to the correspondence, having been based upon the fact "of his being a prominent Orangeman, and one likely to be a useful magistrate in a party riot;" whether the present Administration acted upon such a recommendation; and, if not, who is responsible for the fact of a person obtaining a judical position on the merits of his religious partizanship; whether the supersedeas issued (according to the Chief Secretary's statement of the 15th inst.) was issued on account of Devlin's bankruptcy, or in consequence of the correspondence which disclosed the fact that those who recommended him for the magistracy based his claim to the commission on his being a leading Orangeman; and whether he has any objection to furnish to this House a Return of justices of the peace appointed for Ulster County since 1st March, 1874, specifying their names and religious persuasions, and also specifying such of them as are Orangemen?

SIR MICHAEL HICKS-BEACH: Sir, I have seen no correspondence in which it is stated that Mr. Devlin was recommended for appointment as a justice of the peace for county Tyrone on the ground of "his being a prominent Orangeman, and one likely to be a useful magistrate in a party riot." If such a statement has been made, it is not true with regard to any part taken by the Government in the matter; and I am informed by the Lord Lieutenant of the county, with whom the appointments of county magistrates originate, that no such recommendation was made to him. But I have seen a correspondence from which it appears that Mr. Devlin, who was chairman of the town commissioners of Cookstown, and as such an *ex-officio* magistrate for that town, and who was also vice-chairman of the Board of Guardians of the Union, was recommended to the Lord Lieutenant of county Tyrone for appointment as a justice of the peace by memorials signed by the town commissioners of Cookstown, by the hon. Member for Dungannon (Mr. Dickson), who sits opposite, by a member of the National Board of Education in Ireland, by six magistrates, many clergymen, solicitors, and other professional men; and last, not least, by four Roman Catholic priests, and at least 50 other persons who are stated to be Roman Catholics. In these circumstances I would leave it to the House to judge whether it is fair, on the part of the hon. Member, to suggest that a person who at the time of his appointment seems to have been considered by all classes and creeds to occupy not only a responsible, but a leading position in the neighbourhood, "obtained a judical position on the merits of his religious partizanship." Mr. Devlin has been, as I stated yesterday, superseded by the Lord Chancellor, in consequence of circumstances connected with his bankruptcy. A Return of justices of the peace appointed for every county in Ireland since March 1, 1874, was presented to the House towards the end of last Session, on the Motion of the hon. and gallant Member for Galway (Captain Nolan). It contained only the names of the gentlemen appointed, and I think it would be extremely invidious to specify the religious persuasion of those gentlemen. Besides, the Government have neither the means of obtaining information on this point, far less the means of obtaining information whether they are Orangemen or not.

MR. FAY was proceeding to complain that the right hon. Gentleman had not fully answered his Question, when—

MR. SPEAKER observed that the hon. Member had received an answer to his Question. If the hon. Member desired to put a further Question he should give a Notice on the subject.

MR. FAY said, that not being allowed to make an explanation, he should move the Adjournment of the House. The right hon. Baronet had stated that there was no correspondence containing the words in question——

MR. SPEAKER: The hon Member is now entering into debate, which is quite out of Order.

SIR MICHAEL HICKS-BEACH: The hon. Member misunderstood me. I did not say there was no correspondence. All I said was that I had not seen any.

MR. FAY said, he would ask a Question on the subject on another day.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TURKEY— THE TREATY OF 1856.

QUESTIONS. OBSERVATIONS.

MR. GLADSTONE, in rising to "call attention to the Despatch (No. 159, of Papers No. 1) addressed by Lord Derby to Sir Henry Elliot on the 5th of September 1876, and to make inquiries from Her Majesty's Government with regard to the 'Treaty Engagements' of the Country therein referred to," said: Mr. Speaker—Sir, it is my first duty, and it is a very agreeable duty, to return my cordial and grateful thanks to my hon. Friends, three in number, who have so courteously given up the precedence they had obtained on the Notice Paper in order to enable this House, at the earliest and most convenient hour, to enter on the discussion of this question. I am well aware that I should be wrong if I pleaded that merely as an act of personal courtesy. It was, in my opinion, also due to the consciousness of my hon. Friends that this question is one of supreme and paramount importance, at the present moment, to the people of this country, and that it must continue to be so until, in some way or other, it has arrived at a settlement. At the same time, I do not presume—and, indeed, it would not be consistent with the terms of the Notice I have given—to enter upon the whole of the wide and almost boundless field of the Eastern Question. It is scarcely possible—as one may say with confidence—even after labouring a good deal upon the 1,200 pages of information supplied to us by Her Majesty's Government, to confine within the limits of a speech, however large might be the indulgence of the House, all the points connected with this great and absorbing subject. But it has appeared to me that the point to which I shall call especial attention to-night is one of great importance; and I will go to it without attempting to detain the House by any collateral matters not strictly relevant to the issue. I should wish, however, perhaps, I may say, for the entertainment as well as the information of the House, to make one exception which will not occupy more than a minute, because in a paper conducted with great ability in the North of England I read this morning a statement, not from one of the public, but from what is termed "An Occasional Correspondent," which I am rather desirous to contradict. It was a statement to the effect that a most formidable plan had been in operation for the purpose of dethroning the Sultan of Turkey and placing upon his Throne His Royal Highness the Duke of Edinburgh. The promoters of this plan are four most formidable individuals. They were, in the first place, Prince Bismarck; in the second place, the Emperor of Russia; in the third place, the Earl of Beaconsfield; and in the fourth place, Mr. Gladstone. I may venture to assure the House, that whatever may be the dangers and the possibilities of the Eastern Question, that there is no truth whatever in that statement. Now, Sir, I go to the despatch to which I desire to call the attention of the House, and which is in the hands of hon. Members. It is a despatch dated September 5, 1876; and the points in that despatch to which I wish to invite attention are two, one of them being that on which I intend principally to dwell. The first is, that on that date, and, indeed, as it would appear at a considerably earlier date—namely, the 22nd of August—Her Majesty's Government had arrived at a very important conclusion with respect to the state of feeling in this country. Lord Derby informed Sir Henry Elliot that—

> "any sympathy which was previously felt here towards Turkey has been completely destroyed by the recent lamentable occurrences in Bulgaria. The accounts of outrages and excesses committed by the Turkish troops upon an unhappy and, for the most part unresisting population, has roused an universal feeling of indignation in all classes of English society, and to such a pitch has this risen that in the extreme case of Russia declaring war against Turkey Her Majesty's Government would find it practically impossible to interfere in defence of the Ottoman Empire."

Sir, that particular passage in the despatch appears to throw a good deal of light—more than I, for one, was previously possessed of—on the intentions of Her Majesty's Government previous to that epoch; because, when they conveyed to Turkey the fact that, in their judgment, certain recent disclosures had made it impossible for them to interfere in defence of the Ottoman Empire in the extreme case of war being declared by Russia against Turkey, it certainly does appear to imply that until these disclosures were made they had distinctly cherished that intention. I wish the House to take notice of that fact. If I am wrong it is, of course, for the Government, if they think fit, to correct me in the inference that I draw; but I must say that it is something rather beyond anything that I, for one, at any rate, who am supposed to be pretty decided in my opinions on this matter, have found it necessary to lay at their door, and it is a circumstance which, if true, is of very considerable importance. However, the main matter is re-opened by the next paragraph of the despatch, which runs as follows:—

> "Such an event" (namely, a declaration of war by Russia against Turkey), "by which the sympathies of the nation would be brought into direct opposition to its Treaty engagements, would place England in a most unsatisfactory and even humiliating position, yet it is impossible to say that if the present conflict continues the contingency may not arise."

The despatch then goes on to urge the Turkish Government, on that account, by all means to avoid driving matters to an extreme issue, and leaves it to the discretion of Sir Henry Elliot to choose the language in which he shall make his communications on the subject to the Turkish Government. Now, we are told here that, in the event of war between Russia and Turkey, the sympathies of the nation would be brought into direct opposition to its Treaty engagements. In the first place, I am extremely sorry that it was thought to be necessary at all to lay down any abstract proposition whatever, such as is here involved, at that epoch, on the Treaty engagements of the country. There was no necessity for it, as I conceive. It is most unsafe, as a rule. Her Majesty's Government had already, by a despatch which was lately laid on the Table, limited themselves in regard to Turkey to what is called moral support. They had stated to Sir Henry Elliot, on the 25th of May of last year, that the Turkish Government must not expect from Her Majesty's Government more than a moral support. I may, perhaps, make an observation on the nature of this moral support, which is tolerably well, though, perhaps, not universally understood. It is moral support as opposed to material support, but not moral support as opposed to immoral support that is meant by the Government. Now, that declaration had been made, and Turkey had no expectations —according to these despatches—had no title to entertain expectations of material support from Her Majesty's Government. But one of the difficulties encountered in reading through these Papers is, that, while everything that is declared in them has every appearance, and every just appearance, of being straightforward and decisive, there yet seems to have been somewhere or other under-currents of communications which were constantly counteracting the best declarations and the best intentions on behalf of Her Majesty's Government. And we now know that down to so very recent a period as, I think, the 8th of January last, the two principal persons in the Turkish Government were confident in their declaration that they were to have the support, in the last extremity, at any rate, of Lord Beaconsfield and Lord Derby. This is a very serious matter, because in the despatch that I have quoted you have not only the declaration of the Foreign Minister, but it was open to Sir Henry Elliot to make the communication to the Turkish Government. It approached, therefore, very nearly to the nature of an engagement to the Turkish Government. I do not well see how Sir Henry Elliot could avoid making that communication, because the purpose of the declaration in the despatch was to bring him to exercise great pressure on the Turkish Government in order to prevent them from driving things to extremity. Now, how could he best bring that pressure to bear upon them? Of course, by developing the very argument that Lord Derby made—namely, that, if Turkey drove matters, or allowed them to be driven, to extremity, the consequence would be that we should be placed in a position where we could not fulfil our Treaty engagements. Sir, I object to all those declarations that England is going to be put in a position where she cannot fulfil her Treaty engagements. I differ from the Minister as to what those Treaty engagements were; but I certainly do not admit that we have been, or are, or are likely, or can be placed in any position in which we should decline to fulfil our Treaty engagements. Now, Sir, what is the nature of these Treaty engagements? Where were they to be found? There are two Treaties which bear on this subject, and which contain the engagements taken by this country on behalf of the Ottoman Empire. The one of these Treaties is the more stringent of the two in its terms, but then it is more limited in regard to the parties concerned in it, and as to the parties who have a *locus standi* for the purpose of putting it into execution. I mean what is called the Tripartite Treaty, a Treaty between England, France, and Austria, to which Turkey is not a party, and which binds those Powers as between themselves jointly and severally to treat an invasion of the independence and integrity of the Ottoman Empire as a *casus belli*. Now, I apprehend I am justified in saying that Lord Derby could not possibly have had that Treaty in view; Turkey not being a party to it, it was not a matter that could have been introduced into this despatch. As I do not expect that it will be a subject of debate, I need make no further reference to it on the present occasion. But what are we to say of the engagement given under the Treaty of Paris—namely, the Treaty of March, 1856? What is the nature of the guarantees it contains? In the first place, let us look at the terms of the Treaty and see how much they amount to. I cannot understand how it was possible to found upon the provisions of that Treaty any such doctrine as Lord Derby has here laid down. In the 7th Article of the Treaty, which is the only one bearing on the case, there are three declarations. The 8th Article refers to a case that has not arisen; but the 7th first declares that the Sublime Porte is to participate in the advantages of the public law and system of Europe, and then it contains these three engagements, first, for each Power to respect the independence and integrity of the Ottoman Empire. That evidently has nothing to do with the case. The second is to guarantee in common the strict observance of that engagement, which could not be the matter which Lord Derby had in view according to any just construction of it, because in this despatch to Sir Henry Elliot he was not speaking of what England's duty might become in the event of a common resolution of the European Powers, but of the engagement the obligations of which England would be under upon a declaration of war by Russia. In the third place, the Powers are bound to consider any act tending to the violation of the engagement as a question of general interest. That covenant clearly is very important, but it is totally different from making war in the event of such an act as a declaration of war by Russia upon Turkey. When I referred just now to the Tripartite Treaty I did so in the belief that my statement would not and could not be contested, but there are certain signs which seem to indicate that it is not admitted by Her Majesty's Government, and, therefore, I must say a few words on the subject. This question, I think, arises, What is the nature and force of these guarantees in general? Are they to be understood as an abstract, literal declaration, wholly irrespective of all the circumstances which may intervene before the possibility of being called upon to act upon them arises, or do they depend, in particular, on the conduct of the party to whom the guarantee is given? I may, without offence, and with some advantage, perhaps, refer to the view of the case which I have often heard from the mouth of Lord Palmerston in the Cabinet, which I have heard in this House, and which I believe is, and certainly was up to a recent time, perfectly well known in the Foreign Office as a tradition. Lord Palmerston, who could not but be regarded as a great authority on a subject of this kind, used to contend, without much or any qualification, that the nature of these guarantees was to give the right of interference, but not to impose an obligation of interference. I name that proposition on account of the weight attaching to it from the high position and great ability and experience of its author, without, at the same time, inquiring whether it is necessary to go so far as to embrace it in its whole breadth. What I contend is that it is impossible to separate from any of these guarantees not only the general alteration of circumstances that may occur, but also the conduct of the party on behalf of whom the guarantee is given. My contention applies more especially when the guarantee at the time it is given has reference to certain presumed conduct which the party concerned is to follow, and when that conduct has not subsequently been followed, but, on the contrary, all that has been presumed and engaged fails to be fulfilled. In such a case it appears to me the liberty of the guaranteeing party is completely re-established. I say this because I was astonished both at this declaration of Lord Derby, which appears to me a most rash declaration on general grounds, and totally unwarranted by the terms of the Treaty, and because I find that his declaration, wide as it is, has been even further widened by Sir Henry Elliot. In his despatch of the 30th of September Sir Henry Elliot says—

> "The Protocol on the subject of internal reforms in Turkey would constitute an infringement of the provisions of the Treaty of Paris, for it would confer on the Powers the right of interference in the internal administration of Turkey from which by that Treaty they were debarred."

Such is the doctrine of Sir Henry Elliot. I meet his allegation directly, and I say that from such interference, by the Treaty of Paris, the Powers were not debarred, and in proof of that view I would refer to contemporary exposition —to the debates of 1856 in this House and to the letter of the Treaty itself. There is nothing whatever in the letter of the Treaty which debars the Powers from interference. What the Powers are debarred from is claiming a title to interference on a special ground, and that special ground was the fact of "the communication made to them by the Porte of the Firman which had been issued.". That interference is entirely debarred and repudiated, and most properly; because, if not, it is quite plain that the issue of that Firman constituted an engagement on the part of the Porte, and had there not been a *caveat* of that kind either the whole of the Powers or any Power whatever would have been able to renew the incessant and general interference which it was one of the main objects of the Treaty to bring to an end. But the Treaty never denied the general and indisputable proposition that, with regard to any State whatever, especially with regard to a State constituted like Turkey, the effect of its conduct upon the general principles of humanity or upon the peace of Europe might be such as not only to warrant, but to compel, interference. From those general rights of interference, which, no doubt, ought never to be put forward except on the most substantial cause, there was no debarring of the Powers, and how in the world an able gentleman like Sir Henry Elliot, being Ambassador to the Porte, should have made so rash an allegation, it is to me wholly impossible to conceive. But we have it from his pen and we have seen, too, that Lord Derby held the opinion that we were under a Treaty obligation to take up arms against Russia should she declare war against Turkey, and that on account of the popular feeling in this country we should not be able to fulfil that obligation, and should thus be placed in a humiliating position. I know not which of these propositions is most to be deplored. I earnestly hope they form no part of the present creed of Her Majesty's Government. At the exposition of the Treaty in Parliament in 1856 Lord Palmerston entered fully into the question, and I think the upshot of what he said was that the moral right of interference on the part of the Powers must remain unquestionable. His assertion was certainly not less broad than that. I have noticed with some surprise that there has been an argument of late which was born on the Lord Mayor's day at the Guildhall, and which has received a great deal of additional weight and authority from the mouths of various Members of the Government since, to the effect that something happened in 1870-1 which gave a new force and authority to the provisions of 1856, just as if they had a fresh origin at that period. This has been so positively stated by the Prime Minister—and it was repeated, though in a less positive form, by my right hon. Friend the Leader of the House a few evenings ago—that I must entreat the House to bear with me while I state the nature of the occurrences of 1870-1. They are perfectly simple, I think, in themselves, and they show that nothing whatever was done in 1870 or 1871 which could possibly give to the Treaty of 1856 any stringency or any scope greater than that which it had previously possessed before these occurrences. What happened was this—In the very hey-day of the Franco-German War the Russian Minister took his opportunity of making an announcement to Europe. I will not cite the despatch in question; I will simply state the three propositions which on the 31st of October and on subsequent dates were advanced by Russia. In the first place, the Minister distinctly repudiated the provisions of the Treaty which limited the naval armament of Russia in the Black Sea. In the second place, he endeavoured, not successfully, I think, to justify that repudiation upon the ground that other Articles of the Treaty had already been broken by the other Powers; and that as they had been broken by some of the Powers for their own convenience, or to suit their own views, it was not to be expected that Russia would consent to remain under the galling pressure of those Articles which were most inconvenient and, as he thought, most insulting to her. Thirdly, he announced on the part of Russia that that country still adhered to the general principles of the Treaty. Well, Sir, this was, on the part of Prince Gortchakoff, a very formidable announcement, and we had to consider with care the course we were bound to pursue. First arose the question, should we resist this proceeding of Russia by war? The effect of this would have been singular, for it would not have been possible to make war upon Russia upon account merely of objectionable words. The war would not, therefore, have meant an immediate result. It would have been a contingent war, dependent on the proceedings of Russia. We should have waited till we found her giving effect to those declarations, and augmenting her naval armaments on the Black Sea. Well, Sir, I believe that would have been a novelty in the history of the world. Certainly it would have been an engagement of the utmost inconvenience, to say the least. But now, let us look at the mode in which, and the means by which, such a war could have been carried out. It would have been a war in which—although I know it was suggested by the noble Earl who was then the Leader of the Opposition (the late Earl of Derby) that we had betrayed our duty in not doing something very terrible in regard to Russia —I am not aware that he ever said explicitly what it was—but it would have been a war in which we should have stood absolutely alone, without a single ally in Europe. For what were the declarations of the Powers upon this Russian announcement? Every one of them disapproved it. Prince Bismarck said he disapproved it highly, but he was so busy with his own war that he did not mean even to send an answer. France was engaged in the same war, and suffering very heavily from its calamities, and it was impossible, therefore, to extract from her any declaration of a positive nature. Austria said that if we were disposed to be energetic, she would be energetic with us, but the energy she thought it would be proper to exert was energy in the direction of a moral pressure, with the view of retrieving the mischief which had been done, and establishing firmly the sound principle applicable to the modification of Treaties, as opposed to the principle on which Russia appeared to have proceeded. Turkey herself was not an objecting party to this proceeding of Russia, for—I think it was in the month of November, the original declaration having been made at the end of October—Sir Henry Elliot informed us that he had had a conversation with Ali Pasha, and that in the opinion of the Porte it was useless to hope to perpetuate the existing limitations of the naval power of Russia in the Black Sea. It was quite impossible, as far as Turkey was concerned, to ignore the national considerations which must influence Russia as to her position in the Black Sea. Such was the position in which we found ourselves; and yet in that position, when we were a party to nothing but a joint engagement together with the other Powers, we were very much reproached with not having adopted some startling course, with not having threatened some tremendous exercise of the force of this country—a threat not to be carried out at once, but to be held over the head of Russia till she had given effect to her declaration. But what was our position? Why, every Power in Europe had turned its back upon us. Well, Sir, in those circumstances, we in our great pusillanimity—[*Ironical Ministerial cheers and laughter*] —it was, no doubt, great pusillanimity, was it not—perhaps you would have done quite otherwise, and a very pretty mess you would have made of it—we, I say, determined not to adopt the course of making war. Well, there was another plan which some say ought to have been pursued, or, rather, some say was pursued. Some say that as we determined not to make war, but to proceed diplomatically, what we did amounted to a fresh start in the negotiations, such as had been made in 1856; that we went through substantially the same process as in that year, and re-settled the whole affairs of the East of Europe. That is the allegation. Well, Sir, an allegation more absurd, in my opinion, never proceeded from the mouth of man—absurd, inasmuch as it ascribes to us positively the minds of idiots. [*Laughter.*] Who but an idiot could have proposed to re-try the whole of that great subject, and re-settle the affairs of the East of Europe, at a time when Germany and France were totally incapable of taking part in it, with Russia in opposition to it, when Turkey did not ask for it, and Italy did not wish to meddle? It appears to me absurd on the very face of it. Yet, judging by his cheer just now, my right hon. Friend appears to think we had reached such a pitch of fatuity that we were on the point of entering upon that task. Another course, and, I think, the only one for men of common sense to adopt, was to endeavour to stop the leak that Russia had made, to repair the mischief that Russia had undoubtedly done when she repudiated—improperly, I think, as to the authority she assumed, but not improperly as to the thing desired, because I do not think the thing was in itself unreasonable—when she repudiated an obligation under the Treaty, and justified, or attempted to justify, that repudiation by alleging that other Articles had been already broken, thereby giving a shock to the whole credit and authority of the Treaty. It was our duty to replace the Treaty as nearly as we could in the position it had occupied before the declaration of Russia. That is what we endeavoured to do. We did not re-open the great provisions of the Treaty. We regarded the Black Sea provision as one on which Russia had issued her repudiation, and as being in the same position as before Russia had taken that course; we made certain amendments in the Treaty as regarded some matters of detail and of pure convenience, particularly as to the mouth of the Danube, and otherwise merely affirmed generally the provisions of the Treaty. There was no choice but to re-affirm them, unless we were prepared to re-try them on their merits. Was it possible to re-try them on their merits? And if it was impossible to re-try and re-settle them on the merits, what else could we do to restore the credit of the Treaty but give a general re-affirmation? Why, something analogous occurs frequently when an amendment is made in a will, and the whole of the unamended provisions are repeated, in order to prevent any possible doubt, but without implying that they have undergone any revision or fresh examination. The Treaty of 1856 was replaced by the proceedings of 1871 in the position, as far as possible, in which it was placed before the Letter of Prince Gortchakoff in the month of October, and, indeed, it was placed on a better footing. But then it is said—"You ought to have re-tried it; you ought to have re-examined it; you ought to have known everything that was going on in Turkey; you have no business to complain of what has been going on lately if you did not complain then." I entirely disclaim that proposition. The question of the conduct of the different Governments since 1856 with regard to what was going on in the internal condition of Turkey is a subject very likely to excite interest in this House, and I think an hon. Gentleman gave a Notice yesterday with reference to it. If it is desirable—and I think it would be perfectly legitimate—to have an inquiry into the matter, let it be a thoroughly full and complete inquiry. I cannot now presume to speak with certainty, not being in office or having the command of the official records; but, trusting merely to my recollection, I hold myself entirely responsible for every material proceeding of the Foreign Office during the time when I was Prime Minister. The Prime Minister has a special responsibility. It is the duty of the Foreign Office to bring under his notice everything of importance that goes through the Department, and it is his duty to make himself master of every one of the Papers. I am not conscious of having failed in that duty. Not wishing, however, to trust entirely to my own memory, which never was infallible, and is growing more fallible year by year, I have consulted my noble Friend who was then Foreign Secretary (Earl Granville), and neither he nor I can recollect that during the period of the late Government we were flooded with complaints as to the internal government of Turkey. I have no objection to inquiry; but at present, all I can do is to show that about the time to which I have been referring there was nothing before us which would have given us the leverage and moral power necessary for the purpose of raising up the whole question of the internal condition of Turkey. For this purpose I shall make a brief extract from the debates of this House. On the 5th of August, 1872, the late hon. Gentleman the Member for Kilkenny (Sir John Gray) asked this Question of my noble Friend (Lord Enfield) then at the Foreign Office, filling the post which the hon. Gentleman opposite (Mr. Bourke) fills so well at present—

> "Whether the authorities of the Ottoman Porte are giving effect to the provisions contained in various edicts issued by the Sultan of Turkey during recent years in favour of his Christian subjects?"

It will be seen that that was a very general question, and not limited to the occurrences of the moment, but referring rather to a general state of things. Well, the Answer of my noble Friend (Lord Enfield) was as follows:—

> "Sir, the latest report from Constantinople, received two days ago, states that, as a general rule, the edicts in favour of the Christians are fairly carried into effect, and that, as a class, they have no reason for complaint."—[3 *Hansard*, ccxiii. 454.]

Whether that was a true statement of what was going on, or whether it was not too sanguine, I have no means of saying, but that it was the exact truth, as far as Lord Enfield knew, I am certain. Whether he was correctly advised, after what has recently happened, I am not so sure, but that shows what our information was at the time with regard to the interior of Turkey. Well, so much then for the supposition that this question of Treaty engagements is in some extraordinary and mysterious manner affected by the proceedings which occurred when Russia repudiated the limitation of her naval force in the Black Sea, and when we in consequence obtained from her her signature to a solemn Protocol in which the principle was distinctly and even elaborately set forth that it was not in the power of any single State to withdraw itself from the obligations of the Treaty. Those proceedings lay down in the most stringent terms this principle, to which Russia gives her signature, that it is an essential principle of the the Law of Nations that no Power can liberate herself from a Treaty unless with the sanction of the contracting Powers, by means of amicable arrangements. Therefore, we did all that in us lay to replace the Treaty of 1856 in a position of credit, but we did nothing to give a new stamp to its engagements. Now, I have said that by this despatch of September 5 we were most unnecessarily and most unwisely committed to the assertion of a most dangerous proposition with regard to the obligations of that Treaty; but I am bound to say, and I say it with satisfaction, that I do not find that there is a rigid uniformity—I think my right hon. Friend the Leader of the House called it a slavish uniformity—in the declarations of Her Majesty's Government on the documents proceeding from the Foreign Office. On the contrary, these declarations have more the character of a flower garden. If we turn to the Prorogation of 1876 and the whole of their declarations last Session, we shall see that the great object of the Government then was to maintain the obligations and the Treaties to which I am referring. This was evidently in the mind of Lord Derby in writing the despatch of the 5th of September, and in the gracious Speech in which Parliament was dismissed from their severe labours at the close of last Session I find that Her Majesty is made to speak of "the duties imposed upon Me by Treaty obligations, and those which arise from considerations of humanity and policy." Far be it from me to say that Her Majesty has not borne that in mind, but undoubtedly in the Speech delivered from the Throne at the opening of Parliament there was no evidence given of its being borne in mind, for then the note was changed, and we were told what the Queen's object had been throughout. On the 8th of February, her object had been—

> "To maintain the peace of Europe, and to bring about the better government of the disturbed provinces, without infringing upon the independence and integrity of the Ottoman Empire."

There is no obligation there to go to war in defence of the Turkish Empire. That is an important point, and is distinctly embodied in the despatch of the 5th of September; but to my great satisfaction, when I heard the Speech from the Throne, that had been erased from Her Majesty's political memory, and found no place in the Speech. Now, as late as the 9th of November, in the speech of the Prime Minister, the doctrine of Treaty obligations was full blown and exhibited in the most magnificent proportions. It was the key-note of the speech, but very shortly after he began to tumble down, to shrink, and to collapse, and unquestionably, if I understand it in the declarations of Lord Salisbury at Constantinople, it at any rate insinuated, a very different doctrine, for he says that "If Turkey refuses the advice of the Powers her position will have undergone a total change in the face of Europe?" Now what is the total change she has undergone? I do not think it is a change in her moral character, for that could have been estimated before quite as well as now. I think her moral character was estimated by her refusal to join in the proposals of the Powers. It must, then, have been a political change to which Lord Salisbury referred, and if so I do not know what change Turkey has undergone in that sense unless Lord Salisbury meant that she is no longer entitled to expect, under the stipulations of the Treaty of Paris, any material help from anybody whatsoever. We then come to the 8th of February and the declarations of that date. I must not refer particularly to the speeches which were then made by Members of the Government; but so far as I am able to comprehend their character through the medium of the reports of them which have appeared, they are totally irreconcilable with the despatch of the 5th of September. Now to that despatch I do not wish any evil, except that it may disappear and may no longer dwell on the minds of men as portion of the practical materials with which we have to deal. And if the right hon. Gentleman the Secretary for War, or my right hon. Friend the Leader of the House, should follow me in this debate, I would wish to hear from him not so much a justification of this particular despatch—that is a matter of indifference to me—as a sound doctrine, applicable to the present state of things. I do not doubt that many Members of the Government who may have held the particular doctrine of which I have been speaking in the month of September have since changed their opinions. They may say that the refusal of the advice of the Powers by Turkey was in the eyes of all an offence, and that that offence having been committed, they now hold themselves altogether free to act as they may think fit. But, at all events, the House will feel that this despatch is one of so formidable character, and the whole subject is one of such difficulty, that it was necessary it should be brought under the notice of the House. We shall have much to reflect upon and much to say and to consider in respect to the kind of policy which this country may have to pursue on this great Eastern Question, which is neither settled nor, so far as I can see, has made much visible progress towards a settlement, except in two points of secondary importance connected with the making of peace between Servia, Montenegro, and the Porte. It is most important then, in my opinion, that we should know before we proceed further how far our hands are tied by Treaty engagements in the judgment of those by whom we are represented in the face of Europe, and how far we are free, on the contrary, to do that which is just and right in itself. I therefore will ask Her Majesty's Government these three Questions, and will sum them up thus—First of all, whether the words "humiliating position," mentioned in the despatch, mean the position of a State bound by a Treaty to go to war in a certain event, but disabled from doing so by the national sentiment; secondly, it having been the opinion of Her Majesty's Government on the 5th of September that we were then bound by Treaty to go to war for Turkey, if she were attacked by Russia, did they then consider her title to our aid was not affected by her breach of faith in regard to the reforms promised? And lastly—and I think it is the real material question—is that still their opinion, or do they now consider that we are absolved from the obligations asserted in the Treaty of 1856, and that we are free to act as policy, justice, and humanity may seem to direct and require.

MR. GATHORNE HARDY: The speech, Sir, in which the right hon. Gentleman opposite (Mr. Gladstone) has just addressed us has, I must say, been one of great calmness, and has not been calculated to excite any of those passions and emotions which some of his speeches on former occasions may have tended to produce. He has put certain Questions to the Government, and I wish he had formulated them on the Notice Paper, as we had reason to expect he would, so that I might be able to quote them more fully in replying to them; but I hope, at the same time, I shall have no difficulty in referring to them pretty accurately. Now, let me say at the beginning, and it may be taken as an answer altogether, that we do not consider ourselves to be set free from the obligations of the Treaties to which we were parties in 1856, and in the Treaty which was made in 1871.

MR. GLADSTONE: When I spoke of freedom from obligation, I meant entirely in respect to Turkey.

MR. GATHORNE HARDY: I was merely giving a general answer to the right hon. Gentleman in the first instance, that he might understand our position. I will come to what I have to say on that subject a little later, but I am obliged to look rather at what recently fell from the right hon. Gentleman in this House with respect to his view of these Treaties. I understood the right hon. Gentleman to say upon the first night of the Session that he was prepared to argue that Turkey was entirely outside the Treaties to which she was a party with us, but that we remained still bound to the other parties.

MR. GLADSTONE: I said that Turkey had lost her rights under the Treaties, not that she was not bound by Treaty obligations.

MR. GATHORNE HARDY: Well, we have at least got the statement that Turkey is to be thrust into the cold, outside the Treaties, without any rights or claim on any one connected with them, but that she is still to be saddled with all the obligations which they impose. [Mr. GLADSTONE: No, no!] I hope I am not misrepresenting the right hon. Gentleman. I am most anxious not to do so, because it is only a waste of time to reply to arguments which have not been used. I understood the right hon. Gentleman to say, first of all, that Turkey had no right to call upon us for the fulfilment of the obligations into which we have entered with her, and that, upon the other hand, we have a right to call upon her to fulfil the obligations into which she entered with us. [Mr. GLADSTONE: I made no mention of that at all.] Now, when I am asked whether we are bound by a Treaty, I should like to know what view ought to be taken of the position of our co-partner in that Treaty, and how far is she bound. I want to know this—Is Turkey bound to Europe by the Treaties of 1856 and 1871 or not? If she is, then I say boldly, peremptorily, and strongly, that Europe is bound by those Treaties to her. You cannot escape from that position. It cannot be possible that there should be a bargain made between two parties, and that the consideration which is given by one party and which is the ground by which the other is bound should be taken away so as to set that party free alike from the obligations as well as from the benefits of the bargain. Was such a thing ever heard of as that after having entered into a treaty with a man, you should say to him—"Now, you have behaved so very ill, that I will have nothing more to do with you. I promised you a good deal on my part, and you promised something on your part. I hold you to your bargain to fulfil that which you have agreed to, but do not look to me to fulfil any part of my obligations." Now, I want to know whether that is the position which I have to contest. The right hon. Gentleman says he will not say what the obligations of Turkey are. But I am obliged to say, because unless all my co-partners in the Treaty are bound I am not bound. Why was the Treaty renewed in 1871? Because certain Articles were taken out of the Treaty of 1856, and negotiations were entered into for the purpose of renewing that Treaty. Why? Because otherwise we should have been released from our obligations under that Treaty by the very different form it had assumed. Unless we had become partners to it in a new form, Turkey and Russia might have agreed between themselves about the Black Sea, but we had a right to be consulted, and if they had entered into a Treaty regarding the Black Sea we should surely have been released from the former one. It was therefore necessary that the Treaty of 1856 should be re-settled and confirmed, which was done; and when the right hon. Gentleman says, as he does, that we are taking some extraordinary view as to this Treaty of 1871, as if there was some new force and new origin given to our obligations to Turkey—that is a contention which I never heard, and is entirely owing to great misapprehension. It has never been argued that there is any new stringency or force in that Treaty beyond that of 1856. What was alleged was this—You say—"Turkey has forfeited her rights." When did she forfeit them? I find that in 1860 Russia was complaining of exactly the same conduct with respect to the Christian subjects of Turkey as she has been complaining of since. I find that there have been since the cases of the Lebanon and Crete, instances which called special attention to the conduct of Turkey towards her Christian subjects. And when the right hon. Gentleman, who has been forming a long catalogue of Turkish abuses, tells us that the crime of Turkey extends even to her origin—that she is so anti-human in herself, that she has never been able to be human on any occasion—it is a lame and valueless answer to us, when we ask whether, in 1871, she had not arrived at such a climax of iniquity as to be put out of the pale of civilized society, to refer to a Question put in this House to Lord Enfield, and which was answered to the effect, that up to that time the edicts seemed to have been fairly fulfilled. Such was the state of information at the Foreign Office in 1872. What has been said with respect to the information of Sir Henry Elliot? When Sir Henry Elliot had been remonstrating again and again, and calling the attention of the Porte to these things, yet because he did not know of a certain transaction in a certain place, he was held up to the scorn and execration of the world for having neglected his duty. The right hon. Gentleman has told us that Turkey was covered with a network of Consuls and Vice Consuls — officers who could not have avoided seeing these several things which occurred. Why, Sir, even at the time the right hon. Gentleman speaks of, there were even more Consular and Vice Consular officers than there were last year, because the number had been diminished; and one of the grievances that has been complained of has been that we were not sufficiently fortified in our number of officers, so as to be able to watch what was going on in those countries. Therefore these things have happened, and not sufficiently early information of them has been given. I find that so far from it being the case that you have these Consular officers everywhere, Sir Henry Elliot complains that there were not enough of them, and if you look at his despatch you will find there were only three who could give him any information on this subject at all, and that they could not guarantee its correctness. This is the reason why we alluded to the Treaty of 1871. We say that when you came to re-consider the position of Russia as regards Turkey and the position of Russia and Turkey as regards yourselves, it was your bounden duty to inquire into the position of things which existed at that time. And I will ask the right hon. Gentleman one question. Were not the negotiations appertaining to that Treaty protracted negotiations? Were there not constant interviews between the parties? The right hon. Gentleman tells us that Germany and France were so engaged in war with each other that they could not attend to it. But each of those Powers was represented as signatories in the Conference which took part in re-settling that Treaty. It is idle, therefore, to say that, because they were engaged in war, they could not give attention to the matter through their Ambassadors or Envoys who were here. These Representatives entered into the negotiations, and they had an opportunity of going fully into the delinquencies of Turkey, and deciding if she were to be thrust out into the cold. The question before us now is not whether we should have gone to war at the time of the re-settling diplomacy, as it is called, in 1871. The question is, whether when they undertook to re-settle this Treaty of 1856 in 1871 it is a fair argument for anybody to say—You entered into a Treaty with people who you considered had sufficiently clean hands to unite them with yours, and if it be true that Turkey since 1856 had been utterly neglecting the duties which you say she had stipulated to perform, it follows as an irresistible conclusion that you who made the Treaty of 1871 have no right to turn upon us now and say we are to be blamed because we maintain that it is our duty to fulfil the obligations which you then undertook. The Treaty of 1871 goes into great detail as to those parts of it which affect the questions which were before them. By Article 8 it says that—

> "The high contracting Parties renew and confirm all the stipulations of the Treaty of March 30, 1856, as well as its annexes as modified by the present Treaty."

Then the right hon. Gentleman has read to us the Protocol, which laid down as a principle that one party to the Treaty should not be able to annul that Treaty, and take advantage for himself by getting rid of some stipulations to which he is a party. Well, be it so; but then has any one party to a Treaty, do you think, the right to say without consultation with the others, that another party to the Treaty is thrust outside of it by some conduct of its own, they electing of themselves to say how far that one party is disqualified by its conduct to be one of the co-partners in the Treaty? Have they a right to say they will thrust that party out and acknowledge no duties and obligations towards it for the future without coming to that amicable settlement with the other Powers, which they would have to do in order to get rid of any stipulation in respect of themselves? But, Sir, did Turkey enter into a stipulation? I am unable to find it. As to the particular point upon which the right hon. Gentleman has relied, it is not a stipulation. Turkey undertook to her own subjects that she would issue certain Firmans, and give them certain liberties. Well, she did issue those Firmans, and, according to Lord Enfield, up to 1871 it appears that the edicts had been fairly fulfilled. [Mr. GLADSTONE: No, no!] I am only taking the information of the Foreign Office in 1871; and I must say the right hon. Gentleman did not seem very much to rely upon that. There the information was, however.

Mr. GLADSTONE: It was in 1872.

Mr. GATHORNE HARDY: In 1872 Lord Enfield said that as far as he knew the edicts had been fairly fulfilled.

Mr. GLADSTONE: He said that they were then being fairly fulfilled, not up to then.

Mr. GATHORNE HARDY: Up to 1872, then, it comes to this—that there appears to have been no knowledge as to how the edicts were fulfilled at all; but upon inquiry in 1872, Lord Enfield was enabled to say that at that time they were being fairly fulfilled. They had got so far. Holding, then, as I do, that the release of a person from the benefits of a Treaty is a release also from the obligations of a Treaty, I want to know whether bad conduct on the part of a member of a Treaty to its own subjects is a sufficient ground for excluding it from the European advantages, and for excluding Europe from the advantages she derives from that Treaty? I remember hearing once what was thought a very extraordinary thing with regard to bank notes, and this seems to be quite as extraordinary. You have made a Treaty with Turkey, not for the benefit of Turkey. That is an entire mistake. Last night I happened to be looking at the last volume of the *Despatches of the Duke of Wellington*—a work to which I would ask hon. Gentlemen to refer on the Eastern Question. You will find that Lord Ellenborough, as long ago as 1829, used almost the very words which I have used just now. He said—

> "This was not for the benefit of Turkey, but for the benefit of Europe. The Ottoman Empire stands not for the benefit of the Turks, but of Christian Europe—not to preserve Mahomedans in power, but to save Christians from a war of which neither the object could be defined, nor the extent nor duration calculated."

I could not express myself upon the question in any shorter or better language than that. Well, according to the right hon. Gentleman, you have not entered into these engagements with Turkey for the benefit of Europe; and you are suddenly to say that Turkey has no right to call upon you to carry out any part of that Treaty. Then, I say, it follows as a matter of course that Turkey has a right to say she is released from all the obligations of that Treaty. Then it comes to this—that, because somebody has ill-treated somebody else, that you are to deprive yourself of the advantages which he is bound to give to you. It is exactly the story of the Irishmen who when they quarrelled with the bank, burnt its notes, because they thought thereby to inflict punishment upon the bank, whereas they were really inflicting it on themselves. In other words, you have treated me very ill; you have given me a bank note, a promise to pay, and inasmuch as you have behaved very ill, I decline to accept your promise to pay, and burn your note. That does not seem to be a satisfactory mode of dealing with a great question. The right hon. Gentleman asks me whether under this Treaty we are bound to go to war. Sir, under this Treaty we are not bound to go to war, nor is there anything in the Treaty which can compel us to go to war. The Treaty of 1856 is a Treaty which says that under certain circumstances things shall become matter of general interest. That is the whole of it. But conjointly with the Great Powers of Europe we guarantee the independence and integrity of Turkey. Now, with respect to that I want to know up to what period we have acted with the Great Powers in respect to that guarantee. We say it was at the very beginning and foundation of the Conference. The basis on which the Conference acted began with the very words—that it was to be assumed they were acting in the interest of the independence and integrity of Turkey, and that is as binding on us as on the other Powers. My hon. and learned Friend opposite (Sir William Harcourt) has raised a somewhat curious question on that Treaty, but it is one to which I can only allude in passing, this not being the time to discuss it. I understood my hon. and learned Friend to contend that the Conference sat under the Treaty, and that by virtue of the 8th Article of the Treaty the resolution of the Conference had a specially binding force. Now, I agree entirely with the right hon. Gentleman the Member for Greenwich that this Conference—and, indeed, the interference in the affairs of Turkey—had nothing whatever to do with the Treaty itself, nor with the powers given us under the Treaty. In 1856 Lord

Aberdeen raised that very question, and said—"Are you going to take from yourselves the power of interfering when you see wrong done in Turkey?" and Lord Cowley answered, "Very far from it." All that was provided by the Treaty was this: The Porte having made a communication to the Powers, they said—"We do not claim under this Treaty any right of interference in consequence of that communication; but we retain all our old rights of calling your attention to certain things"—and this of course would be more pressing in the case of Turkey than in the case of other Powers. But the right hon. Gentleman will remember that with respect to Italy and Spain there were the most extraordinary steps taken. When we talk of the strong despatch of my noble Friend (the Earl of Derby), I do not suppose that anything could be much stronger than the despatch of Lord Palmerston to Spain, which led to the Spaniards sending away our Ambassador. I believe we have been acting in respect to the Conference quite irrespective of the Treaty; it is a different subject we have gone upon, and not that at all. Well, the Questions which the right hon. Gentleman has put appear to me to depend mainly upon one despatch, that of Lord Derby, No. 159; and in the first place I would remark that it is a despatch not addressed to any Minister of Turkey, nor in its terms for their particular use, in the form in which it is couched. It is addressed to Sir Henry Elliot, but it is not ordered to be read to any Turkish Minister. It says—

> "Her Majesty's Government leave it to your Excellency's discretion to choose the arguments which you shall employ, but you will see from what I have stated how essential it is that the Turkish Ministers should be made alive to the position in which the conduct of their own authorities have placed them, and you will understand that you are warranted in using the strongest language, should the occasion require it, to enforce upon the Porte the expediency of a pacific policy, and of moderation in the terms to be proposed."

Now, Sir, I am prepared to say that circumstances might very well have happened which might have put this country into a very humilitating position. The right hon. Gentleman supposes that Lord Derby alluded only to the Treaty of 1856, to which Turkey was a party. I say, on the contrary, that my noble Friend alluded to all the Treaty obligations to which this country, is a party. He alluded to the Tripartite Treaty between Austria, France, and ourselves, and I say that it would be a great humilitation to this country if being called upon by France and Austria to fulfil our obligation under that Treaty we were compelled to say that, although the obligation was binding upon us, as we were bound to admit, yet nevertheless, in consequence of the feeling of the country—or it might be of the country and the House of Commons—we were unable to have regard to it. That, I say, would be an extremely humiliating position, but whether such a thing is likely to occur is another matter. I do not think we are likely to be called upon by France or Austria to fulfil our obligation; nor do I think that Turkey has any right whatever, not being a party to the Treaty, to call upon us to do so. What, then, is our position? It was explained very clearly the other day by my noble Friend. I do not pretend to give his words, but in substance he said that under the Treaty of 1856 we were in no degree pledged to go to war; that as early as May last year we had given full notice to the Porte that the feeling of the country was very different from that which prevailed at the time of the Crimean War, and that they were not to expect from us material assistance. That this was urged in conference with, and I believe put forth in conversation with the Minister of the Porte here on more than one occasion, sufficiently appears from the despatches in the hands of the House. There, was, therefore, no concealment of our position. We have held that language throughout. We have endeavoured to use the moral influence of this country to attain two objects—the maintenance of the peace of Europe and the maintenance also of the independence and integrity of Turkey. The right hon. Gentleman has not gone on this occasion into the question as to what was meant by the independence and integrity of Turkey, and I gather from the words he has used as to other discussions that are to come on, that he did not desire to go into that question now. But I assume that having agreed with all the Great Powers that that was the basis on which we rested, we were to maintain the independence and integrity of Turkey in the sense the words imply. On that point I would be quite ready to meet the right hon. Gentleman, should the necessity arise. Then the right hon. Gentleman said—though he did not dwell upon it—that he considers the despatch of the 5th of September was not in conformity with what subsequently occurred. I was not able to follow the right hon. Gentleman on that point, for he did not say, and I cannot see, what the difference to which he alluded was. The right hon. Gentleman spoke of certain expressions in the Queen's Speech at the close of last Session, as to the independence and integrity of Turkey, and of certain other expressions in the Queen's Speech at the opening of the present Session, and said that they differ; but I maintain that substantially they mean precisely the same thing. The only difference appears to be that in one we use the words, "without infringing on the integrity and independence of Turkey," and in the other "maintaining" is substituted for "not infringing." The right hon. Gentleman, who knows something of the difficulty of composing Queen's Speeches, ought not to bind us to a particular word in our mode of stating our case. And here let me say that throughout the whole of these proceedings much verbal criticism has been indulged in. The right hon. Gentleman speaks of the Blue Books extending to 1,200 pages, and no doubt they are very full and elaborate; but I will undertake to say that, so carefully has my noble Friend done his work, that perhaps less merely verbal criticism can be made with respect to them than with respect to any other Blue Books extending to the same length and written on any other occasion. Last autumn speeches were made by some of my right hon. Friends near me. I was fortunate enough not to have been a speaker, or I dare say I should have been similarly dealt with; but when one of my right hon. Friends made a speech anywhere his words were compared with the words of other speeches made in other places—a course of criticism which I have yet to learn is conducive to the interests of the country or to the freshness and originality of the Government, and by which a Ministry should not only be tied to a policy, but to the very words and arguments which each Member of it may use. But there was no contradiction in what they said; on the contrary, there was the most complete real agreement in the speeches of my right hon. Friends. Members of the Government may not have so fortunately hit upon a coincidence of arguments and quotations as has been the case with Members of the Opposition, for I remember that on the first night of the Session the noble Lord opposite (the Marquess of Hartington), almost by inspiration, hit upon the exact quotations and despatches which were used by a certain noble Lord in "another place." If it were not that Conferences are not very popular in certain quarters, I should almost have thought that a Conference was held upon the speeches to be made on that occasion, and that an agreement was arrived at. But my right hon. Friends spoke with perfect freedom on passages that do not affect the policy of the Government — and it was only by casuistical and verbal criticism on those passages that that policy was attacked. I, too, will speak perfectly openly upon this subject. I have nothing to add to what my noble Friend said in "another place," but if the right hon. Gentleman would favour me with the Questions he has read, I would rather reply to them having them before me, than from memory.

Mr. GLADSTONE, remarking that he was afraid the right hon. Gentleman could not make out the writing, read the following Questions:—First, Whether the words "humiliating position" in the despatch meant the position of a State bound by Treaty to go to war in a certain event, but disabled from it by the national sentiment? Secondly, It having been the opinion of the Government on the 5th of September that they were bound to go to war for Turkey, if that country were attacked by Russia, did they consider that their title to aid her had not been affected by her breach of faith with regard to the promised reforms in her dominions? Lastly, Was that still their opinion, or did they consider that they were now absolved from the obligations which they then asserted were incurred under the Treaty of 1856, and that they were free to act as policy and justice and humanity seemed to advise and require?

Mr. GATHORNE HARDY: Well, Sir, I have already answered the right hon. Gentleman's first Question. I say that this despatch did not mean that we were to go to war, certainly not under the Treaty of 1856, and, with respect to the Tripartite Treaty; I have said that circumstances might happen—I do not say that they will—they are certainly very remote—under which this country might be called upon to fulfil its obligations under that Treaty. Then, with respect to the second Question, the right hon. Gentleman wants certain things to put an end to this; but he has finished his speech without telling us what Turkey has done or has not done. Does the right hon. Gentleman mean that Turkey has issued certain Firmans to her subjects, and has not carried them out? If so, at what period did that take place? It is important I should know that, in order to answer the Question. As I have stated, the basis of the Conference was the maintenance of the independence and integrity of Turkey, and I will add that even at the end of the Conference it is quite obvious that the same state of things remained, for General Ignatieff speaks of the very object of the Conference having been to maintain this independence and integrity. The real fact is, the whole proceedings have had that object. It is true, as my noble Friend said "elsewhere," that a man may put his affairs into the hands of trustees for a while, intending to resume their management himself at a later time, and all that has been done and proposed by the Conference has been of a temporary character, and with a view to restore Turkey to her full independence in the event of her carrying out certain reforms submitted to her. With respect to her integrity it has been just the same. The right hon. Gentleman himself wishes to respect that integrity, but certainly not exactly in the way I should think that integrity ought to be respected. If you were to make Yorkshire an autonomous and tributary State to England, I do not think that England would be the integer that she had been before. If that is the right hon. Gentleman's view of autonomous tributary States, I am bound to say I cannot agree with him. The subject has been very much narrowed by the right hon. Gentleman. I think I have answered his Questions distinctly and clearly. I hold that, to the end of the Conference, we were bound by the Treaties under which we have been acting since 1856, and which have been confirmed by the Treaty of 1871. We have proclaimed, and I proclaim again, in the strongest language, that we should be wrong in every sense of the word if we were to endeavour to employ material coercion against Turkey. It is a serious thing to draw the sword, and, although I am charged with a particular Department specially charged with military duties, I perhaps feel it the more on that account, and I say most distinctly that I should feel that if, at this period and after what we have said and done, we were to undertake to draw the sword against Turkey for the purpose of material coercion, we should be doing an act for which there would be no justification—an act which ought to bring shame into our faces, because we should have falsified our promises and been faithless to our engagements. Besides, I deny altogether the right or the duty that is said to be imposed upon us by anything which up to this time has occurred. No human being can know what circumstances may arise, and as to the future I decline to give promises or pledges on hypothetical questions. It is sufficient for us to say that as we have promised, so we will perform. We stated when we went into the Conference—and it was distinctly understood—that as the Italians had said to us there must be nothing but moral coercion, so we said all we would employ was the moral pressure at our disposal. And, in the position in which we now stand, we should not only do wrong in connection with the Treaties to which we are parties, but, in my opinion, we should do wrong even to a higher and greater law, for we should do wrong to the first principles of right, we should do wrong to the first principles of religion, if we were to undertake, under the present circumstances, to attempt to govern and to lay down the systems of government for another country by the sword; and without that you could have no material coercion. We have resisted occupation because, like Lord Russell in 1861, we felt that occupation was only the beginning of the end. Do not let it be said, then, that we are without sympathy for the Christian subjects of Turkey. I have said nothing on this subject hitherto, but I venture to say there is no man who has felt more with respect to the sufferings of the Christian population of Turkey than I have done. But I say this, that when we differ as to the means of healing their wrongs and redressing their grievances, that is a totally different thing from any apathy or want of feeling. With respect to those sufferings and grievances, Sir, I trust that this House of Commons—I trust that this country—will remain true to the principle upon which we have generally acted in regard to the internal government of other countries—namely, that the responsibility is far too great for us to lay down accurate rules for them, or to enforce those rules by violence. It was very wise and prudent to endeavour to enforce on Turkey everything necessary for the good of Turkey and for the well-being of the Christian subjects of Turkey, oppressed as I feel they have been for so many years. It was right we should do everything in our power, using all the influence which our long association with Turkey ought to have given us—it was right we should use all that moral pressure, and even yet I hope that that great pressure, combined, as it has been, with the moral pressure from all the other Powers of Europe, will not be without its effect upon Turkey, and that much will be done for the amelioration of the future condition of her Christian subjects. The hon. Member for the Kirkcaldy Burghs, in a pamphlet he has published, has talked of "difficulties solving themselves." He raises some very extraordinary difficulties, and his answer is that they will probably solve themselves. That may be so in this instance. But this I will say—that, if the knot be difficult to untie, the time has not yet arrived for this country to apply the sword to cut it. And, therefore, I end, Sir, as I began, by saying that, without being obliged to go to war for Turkey, we are pledged, not to Turkey alone, but to Europe at large, to maintain the faith of Treaties which we have no right to violate.

Lord ROBERT MONTAGU thought it important the House should clearly understand what were our Treaties with Turkey, and to what we were bound by them. He confidently asserted that those Treaties did debar us from interfering between the Sultan and his Christian subjects. Many hon. Members would remember the Congress which met in Vienna towards the end of the Crimean War. Count Nesselrode proposed what was then called a consolidation of the rights of the Christians, which was equivalent to the phrase now employed—the "guarantees" for the good government of the Christian subjects of the Porte. Lord Russell refused to agree to the proposal made at the eighth sitting of the Congress, and it was broken up. At the Conference of Paris on the 28th of February, 1856, the Russian Representatives—Count Orloff and Baron Hübner—desired to insert in the Treaty the measures taken by the Ottoman Government regarding the Christians, making the execution of those measures an obligation on the Powers, but without touching the independence of the Porte. Austria, France, England, and Turkey objected, and the Proposal (Protocol II) was withdrawn. On the 25th of March, on Protocol XIV., the proposal was renewed by Baron Brunnow, with the stipulation that it should not give a right of interference to any Power. That was objected to by Lord Clarendon, and at length the proposal of the French Minister, Count Walewski, was adopted, based on the proposition that Russia had no greater interest in the condition of the Christians than any other Power. This became Article IX. of the Treaty. He therefore maintained that the promises of the Sultan did not enter into the contract, and that the Treaty was binding, whether the promises of the Sultan had been carried out or not. He thought the right hon. Gentleman the Secretary of State for War had used an unfortunate expression when he spoke of "restoring" Turkey to independence. He surely could not mean by that to imply that the independence of Turkey had been destroyed. He (Lord Robert Montagu) repudiated the right hon. Gentleman's the Member for Greenwich (Mr. Gladstone's) interpretation of the effect on a Treaty of the conduct of the party guaranteed. The right hon. Gentleman, speaking at Frome and Taunton concerning the Treaty of Paris of March, 1856, and the "second Treaty, more stringent still, passed a few months after the Treaty of Paris between Austria, France and England," went on to say:—

> "If these Treaties are in force, then we are bound towards Turkey, not only to the general recognition of its general independence and integrity, but likewise to that which is much more important—viz., to a several as well as a joint

guarantee. In truth, it is impossible for national engagements to be stronger. . . . If the Treaties are in force, you are bound hand and foot by them. . . . This is, to a great extent, the hinge of the whole subject."

On the 14th of July Lord Derby stated that by the Treaties we are bound to defend the Sultan from murder, but not from suicide; and that meant from murder by the hand of Russia. In despatch No. 1,053 Prince Gortchakoff said that the London Cabinet would adhere to the letter of the stipulations without taking into account the 20 years that had elapsed, and that by these stipulations European action in Turkey had been reduced to impotency; therefore he desired that the independence of Turkey should be made subordinate to what he called the interests of humanity. The verbal promises given by Turkey did not affect the contract, particularly as it was mentioned that those promises were not to give a right of interference. At the Congress of Vienna a Protocol was signed by which Russia undertook to give a free Constitution to Poland, which had not yet received it, and had suffered greater atrocities than Bulgaria; and, nevertheless, the Treaty was still considered binding. That was a complete answer to those who supposed that Treaties ceased to be binding because of the conduct of one of the contracting Powers. He was afraid, however, that Lord Salisbury was a Nobleman who, though he sat in the Cabinet, agreed with the right hon. Gentleman the Member for Greenwich. He (Lord Robert Montagu) had gathered some of the opinions of that Nobleman from the great Conservative organ—*The Quarterly Review*—in which appeared in October, 1874, an article on the Eastern Question, with which, he thought, he had good reason to credit the noble Lord. That article said—

"Already executed on the elder criminal (the Papal throne), that sentence, though delayed, cannot fail of ultimate execution on the younger; and to hinder or delay it is no part of England's duty. . . . To Russia, mistress of the Central Asiatic line, belong of necessity the destinies of Northern Turkey," &c.

After Lord Salisbury had written this, it was not surprising that he should have sent home the despatch of January 4, 1877, in which he said—

"The independence of the Ottoman Porte is a phrase which is, of course, capable of different interpretations. At the present time it must be interpreted so as to be consistent with the conjoint military and diplomatic action taken in recent years by the Powers who signed the Treaty of Paris. If the Porte had been independent in the sense in which the Guaranteeing Powers are independent, it would not have stood in need of a guarantee. The military sacrifices made by the two Western Powers twenty years ago to save it from destruction, and the Conference which is now being held to avert an analogous danger, would have been an unnecessary interference if Turkey had been a Power which did not depend on the protection of others for its existence."

This argument meant that criminal acts which we were bound not to commit were to determine our future conduct, as if a burglar claimed immunity because he had broken into your house before. If it were to be said that a Power was not independent because it was guaranteed, what became of the independence of Belgium, Holland, and Greece? The results of such an argument would reduce it to an absurdity. The sacrifices we had made for Turkey were not comparable to those we made between 1792 and 1815 for every country in Europe except France; and was it to be said, therefore, that no countries in Europe were independent except England and France? Yet this was the result of the argument the noble Lord had used. It was said that because Turkey had refused to act on our advice, we were no longer bound to carry out Treaties; but surely that was not a legal view of the question. It was obvious to any one looking at the map, that if Turkey fell under the control of Russia, the position of Constantinople, as the key of the Euphrates Valley route to India and of the Red Sea made its possession by Russia a matter of great importance to us, particularly considering what might result from an alliance of Russia with Persia and Afghanistan; and if the Czar could seize Constantinople, he would displace the Greek Patriarch there, who was the acknowledged head of the Greek Christians, not only in Turkey, but in parts of Southern Russia, where they were almost always in rebellion against the Czar. On the 11th of September Lord Derby, in a despatch, said—

"The reasons which induced us to set a value on the territorial integrity of Turkey are permanent and real, and I hold that it is sound policy now as much as it was in 1856 to adhere to that which diplomatists called the territorial *status quo*. It is possible that the language which is being used may induce foreign politicians and Governments to think that England has changed her mind on that subject. If that impression is produced it will be a misfortune to us and to all the world."

He asked, then, with these dangers in view, whether they could regard with any peace of mind the tendency of Russia to mix herself up in Turkish affairs? He now came to the opinion of Her Majesty's Government with which he did not agree: the Treaties were binding, they said, but the sympathies of England ran counter to them, therefore the Government must stand by and not carry them out. Up to the 19th of May, 1876, and prior to the agitation which followed the atrocities, what did Lord Derby say? Why, in effect it was this—"Do not interfere; stand aside and let them fight;" and to Turkey he said "Use more vigour; commit atrocities, if you will; but for goodness' sake make an end of fighting." He refused to agree to the armistice which was proposed, lest it should be injurious to the military position of the Turkish Government. The late Leader of that House (the Earl of Beaconsfield) held very much the same language. He told them that he enjoyed a civil war above all things, and that he enjoyed it about as much as we did a boxing match, or a debate in the House, or as our forefathers did cockfighting —["Oh! oh"! *and laughter.*] [The CHANCELLOR of the EXCHEQUER: On what occasion?] The language which the right hon. Gentleman used on the 13th of November in addressing his constituents was this—

> "Possibly it may be in some cases that a civil war may have something to be said for it when it comes to be a struggle between two great forces growing up in an Empire which can find no other solution of their difficulties than the melancholy solution of war."

THE CHANCELLOR OF THE EXCHEQUER: And the allusion to cockfighting, &c. &c.?

LORD ROBERT MONTAGU said, he did not wish to imply that Lord Beaconsfield had used these words. Then came the Bulgarian atrocities, which created so much sympathy in this country. But it was a hysterical paroxysm of philanthropy which he objected to as being got up for the occasion. Why did we not show our philanthropy in 1860, when Russia showed such cruelty to the Poles? Where was our philanthropy when the Russians entered Khiva? It did not then suit our purpose to put forward philanthropic views. It had been said that the newspaper correspondents had exaggerated the cruelties inflicted with the avowed object of creating a strong feeling against Turkey, and a despatch was telegraphed to Sir Henry Elliot, dated August 22, from which he (Lord Robert Montagu) made this quotation—

> "To such a pitch as this" [universal feeling of indignation] "risen that in the extreme case of Russia declaring war against Turkey Her Majesty's Government would find it practically impossible to interfere in the defence of the Ottoman Empire. Such an event, by which the sympathies of the nation would be brought into direct opposition to its Treaty engagements, would place England in a most unsatisfactory and even humiliating position."

Sir Henry Elliot on August 29, in reply, said—

> "I am assured that the unconcealed object of some of the newspaper correspondents in the tone they have adopted, is to create in England such a strong current of public opinion against the Turks, as to oblige Her Majesty's Government ultimately to abandon the policy which has at all times been followed towards this country; to cease from allowing themselves to be regarded as interested in its maintenance; and to assume the position of protectors of the Christians against their Mussulman oppressors."

On the 5th of September Lord Derby, in a despatch, said he had always maintained that policy, but because the sympathies of the country ran counter to it he was prepared to change it. And this the noble Lord did, although he held that the course they wished to adopt would lead to ruin and destruction. This was acting unlike a statesman whose duty would be to show the danger, and say, his should not be the hand to strike the blow. On the 14th of July the noble Lord, speaking to a deputation, complained that—

> "He did not always receive his instructions from his employers beforehand, but was left to guess what it was that they would desire him to do, and he only ascertained their real feeling when he found that he had gone against it."

Even the Chancellor of the Exchequer, whom he (Lord Robert Montagu) regarded as the coming man, on December 14, in the course of a speech made in Devonshire, treated the "atrocity" meetings with some contempt, and said that few Englishmen knew anything about foreign affairs; but he admitted that they were stepping beyond the arrangements of the Treaty of Paris of 1856—interfering in the internal affairs of Turkey—not by the invitation of Turkey, for Turkey objected on the ground that it was contrary to the Treaties. He did not know whether there was any difference in the Cabinet or not, but he was delighted to see that the Earl of Beaconsfield, having escaped from the anxieties of popular election and attained the dignity of an aristocratic altitude, had expressed a somewhat different opinion. The Earl of Beaconsfield said—

> "It would be affectation for me to pretend that this" [being backed by the country in their foreign policy] "is the position of Her Majesty's Government at this moment. . . This country has arrived at a conclusion" [what, not to fight for Turkey?] "which, in the opinion of Her Majesty's Government, if carried into effect, would alike be injurious to the permanent interests of England and fatal to any chance of preserving the peace of Europe."

It appeared, therefore, that the Earl of Beaconsfield was opposed to the views of his Colleagues, but acquiesced in what he considered would be injurious to the permanent interests of England and fatal to any chance of preserving the peace of Europe. The right hon. Gentleman the Member for Greenwich had spoken of the House of Commons, rolling down the hill at Greenwich; but in his (Lord Robert Montagu's) opinion, Lord Derby had taken the country and rolled it down the hill at Greenwich into the slough below. He (Lord Robert Montagu) contended that this country must fulfil the contracts into which it had entered at all hazards. At present it appeared as if Treaties were not binding, but were mere waste paper. We had continually disregarded them, and owing to our policy towards Austria in 1859, Denmark in 1863, Hanover and Austria in 1866, and France in 1870, we were without allies. In former days we used to say that such and such Powers were bound by certain Treaties, and used to calculate on their observing them. But now the whole system of Europe rested on big battalions and 100-ton guns. The right hon. Gentleman the Member for Greenwich boldly said that Treaties were not binding. Her Majesty's Government had adopted another opinion. They said Treaties were binding, but, as the sympathies of England were adverse, they would not carry them out. The third principle was, that Treaties were binding, and that we ought to carry them out; and that was the right principle. He could not but liken Her Majesty's Government in this case to the *Vanguard*. She was steaming slowly in a fog; the *Iron Duke* was steaming faster behind, and ran her down. The Government thought they would take a middle course, but he predicted that the Liberal party would come behind them and run them down, and sink them.

MR. COURTNEY said, he did not think any question more important or more deserving our attention than that which referred to the nature of the obligations we were under with respect to this Eastern Question, and of the several Conventions and Treaties to which we had agreed. These Conventions and Treaties were the Treaty of March, 1856, and April, 1856, and the Treaty of 1871. A great deal had been made in the country, and something was made this evening by the right hon. Gentleman the Secretary of State for War, as to the renewed obligation which the Treaty of 1856 received from the Treaty of 1871. In his opinion, the right hon. Gentleman the Member for Greenwich made it clear that the act done in 1871 was confined simply to that clause of the Treaty of 1856 which referred to the rights and powers of Russia on the Black Sea; the rest of the Treaty of 1856 it left unaltered. It was quite true that there was a clause in the Treaty of 1871—the clause read by the Secretary of State, the 8th—which said that the high contracting parties renewed and confirmed all the stipulations of the Treaty of March 30, 1856, as well as its annexes. If that renewed confirmation gave the original obligations of the Treaty of 1871 any fresh force, the right hon. Gentleman was entitled to dwell upon it. But, before doing so, he should refer to the Preamble of that very Treaty; and if he did, he would find that the object was to deal with the clauses of the Treaty of 1856 which related to the navigation of the Black Sea and the mouths of the Danube. The Plenipotentiaries of 1871 had nothing else before them than these clauses; and the real meaning of the 8th clause of this Treaty was that what they had done in altering these clauses was without prejudice to the other clauses of the Treaty of 1856. Now, what were the obligations of this Treaty of 1856? There was a point which had not been made very clear as yet, but which ought to be brought out in full light. It was this. We were under certain obligations with respect to the Treaty of March, 1856, but to whom? We were under obligations towards the Guaranteeing Powers, but towards Turkey we were not, and, what was more, we never had been. The obligations which we undertook by that Treaty were obligations towards the co-Guaranteeing Powers; towards Turkey we entered into none. And if this question were asked—"What has become of the obligations of Turkey towards us?" his answer to that question, as to the other, was that Turkey had no obligations to us whatever by that Treaty. That would be rendered plain by the words of the 9th Article. And if Turkey was under no obligations to us, was it to be said that we were under obligations to Turkey. Would it be contended that there was a unilateral obligation? The 9th Article of the Treaty communicated on the part of the Sultan an intention to issue a Firman for the purpose of improving the condition of the Christian subjects of his Empire, and the contracting parties recognized the high value of that communication. But that Article gave the other Powers no rights towards Turkey; and this being so, upon what principle of law could it be contended that those Powers entered into obligations towards Turkey? He was aware that the 7th and 9th Articles had been connected for the purpose of making out mutuality. But Article 7 contained no words to raise a suggestion that we bound ourselves to Turkey. We did, indeed, enter into some obligations towards the other Powers who combined with us. Each of the contracting Powers pledged itself to the other Powers to respect the independence and integrity of Turkey; and we went on to guarantee in common the strict observance of this engagement. But there was no word raising the presumption that we had bound ourselves towards Turkey. The true reading of the document was that, for the sake of the interests of Europe, and not of Turkey, in order to ensure the peace of Europe, we agreed that we would respect the independence and integrity of the Ottoman Empire. The obligation, then, being between the Guaranteeing Powers, could not be appealed to by any one outside them; and if the Guaranteeing Powers chose to retire from that obligation, the obligation, whatever it was, ceased altogether. He rejected, therefore, altogether, the notion that Turkey had deprived herself of the advantages of this Treaty by what she had done. The 9th Article, indeed, said that Turkey was not responsible to us under that Treaty for what she might do. The true view of the matter, then, was this—that if even the instrument might be so construed as to give Turkey any interest under it, she being put under no obligations towards us, it would be what civilians called a *nudum pactum*, an agreement without a consideration, and therefore binding only as long as we might choose to uphold it. He did not think it necessary to consider the obligations created by the Treaty as between the Powers themselves. As the Foreign Secretary had held in the case of Luxembourg, it had been shown that the obligation taken upon us by the Treaty of 1856 was a common obligation, binding all the Powers to act together, so that if one Power retired there was no obligation upon any of the rest. It might be said that this was an ingenious rather than accurate view of the Treaty, and that if we were really not bound to Turkey under it, nor Turkey to us, how were we to defend even that limited interference with Turkey which was proposed by the Conference? The answer was that States had powers and obligations with respect to one another which were independent of Treaties, and the power exercised at the Conference was derived, not from Treaty, but from the public law of Europe. If there arose in any country a condition of things which threatened the peace of surrounding countries, those countries had a right to interfere as in this case. Such a right had been exercised in many cases, the principle being appealed to sometimes with, sometimes without, a concurrence of facts. This was the principle upon which the three Powers interfered when Poland was a source of continual disquiet to her neighbours. The same principle led to the interference between Belgium and Holland, and to the interference of Austria in the affairs of Northern Italy. It was a principle easily explained by the jurisprudence of any individual State. You need not have recourse to a *contrat social* to justify you in preventing a person from going about unvaccinated. There was an inherent power in the members of a community to compel any one member to observe the conditions necessary for the public safety. And so in the community of States there was a right on the part of other States to prevent any one of their number from becoming a danger to the peace of Europe. It was upon this ground alone that the Conference was to be justified, and upon this basis alone it must be placed. He would not now enter into the question whether, as a matter of fact, the Conference was justifiable. But the principle was clear, and the ground for our interference did not refer back to the Treaty of 1856. The Tripartite Treaty rested on a different basis. Under that Treaty, France, Austria, and England jointly and severally agreed to guarantee the integrity and independence of the Ottoman Empire, and we were liable to be called upon either by France or Austria to act under that guarantee. In contemplation of that liability Lord Derby had said there was no chance that either of those Powers would so call upon us. He (Mr. Courtney) could not, however, think that the chance of our being required to discharge this liability was so remote as Lord Derby appeared to suppose; and as this guarantee was now *primâ facie* binding upon us, it behoved us to pay special attention to this question in order to see whether we could possibly avert the danger. If Austria called upon us to act with her under the obligation of this Treaty, it would be an exceedingly unsatisfactory answer to say that the people of England did not like the obligation. But was there any existing liability remaining valid in fact? Were we to say that an obligation once entered into was perpetual? That was a question much discussed when Russia announced to us her intention to treat as abrogated the Articles of the Treaty of 1856 relating to the Black Sea. The text writers agreed that it was absurd to suppose that a Treaty was to be binding in all circumstances and under all conditions. He was aware that an awkward Protocol, which had been already mentioned, was agreed to by the Powers in 1871. But, in its unqualified form, neither authority nor reason supported the proposition that any number of States, whether in Europe or anywhere else, agreeing together must be bound for ever and ever by the obligation they then contracted. A high authority, Hefter, maintained that any convention entered into which interfered with the development of the freedom of a civilized people was altogether void. He was not prepared to go to that length, but this seemed to be a sound position—that any convention must be considered to remain in existence only so long as the conditions under which it was contracted remained reasonably the same. *Rebus sic stantibus*, the obligations remained; but if the circumstances altered, the obligations disappeared. Again, if the obligation were immoral, the obligation was also void. The same doctrine held good in moral philosophy, as anyone might see by referring to no more abstruse moralist than Archdeacon Paley. If, then, the obligation under which we lay here was one the execution of which would be immoral, it was thereby void. Now, he believed that for many reasons—both on the ground of the wrong which would be done to South-eastern Europe, the injury which would be done to our own interests, and the total change of circumstances which had occurred since 1856—we were entitled to claim the right of withdrawing from this Treaty with Austria and France. He did not consider that the danger of being called upon to fulfil the obligation of the Treaty was so small as Lord Derby supposed; and he therefore pressed upon the Government the duty of intimating to Austria and to France that we no longer considered ourselves bound by the obligation of the Tripartite Treaty. He did not wish to say to Austria and France that in no circumstances should they act in the way that might be necessary under the strict covenants of the Treaty. All he wanted to suggest was that in the future action should be based upon conscientious views as to the most useful course to be followed, instead of the hands of the Powers being tied by the strict terms of the Treaty to which he was referring. Lord Derby objected to agree with the Berlin Note, because he thought that to do so would bind him to proceed to more efficacious measures. The caution of the noble Lord in reference to this matter was to be admired, though of course it was obvious that he would have had the right to reject those measures if improper. If, however, this country wished not to be bound in reference to the taking of coercive measures on one side there ought to be freedom all round. Let them have freedom in their dealings with South-eastern Europe. Let not this happen, that thereafter Austria should come to them and say—"We cannot stand what is going to be done; we claim your help to prevent it," and then that they (Her Majesty's Government) should have to say—"We cannot interfere." It would be more honest and honourable to insist upon this line of action at the present moment than to let it so far remain open as that at some future time any one of the countries interested should be able to insist upon the carrying out of the guarantees contained in the Tripartite Treaty.

Mr. BAILLIE COCHRANE thought the debate would be useful in producing a more accurate definition of our Treaty obligations than at present existed, eliciting as it had done the speech of the right hon. Gentleman the Secretary of State for War. He would take that opportunity of urging upon the noble Lord the Leader of the Opposition the importance, now that he had evoked a declaration of the policy of Her Majesty's Government, of stating how far he considered himself bound by the speeches made outside by the right hon. Gentleman the Member for Greenwich, the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt), and other Members of his Party, and also whether he adhered to the views which he himself expressed on the opening night of the Session. As far as he (Mr. Baillie Cochrane) understood the speeches to which he was referring, they anticipated the arrival of a time when England might be under the necessity of joining Russia in exercising coercion upon Turkey, but if that was their view, was it based upon any Treaty obligation whatever? Could anything in history justify using coercion, based upon humanitarian or other grounds, towards a Government with respect to their action towards their own subjects? During the war of the Spanish Netherlands, notwithstanding the strong feeling in England, they had not interfered. When the Revolution of 1789 took place, and the streets of Paris were flowing with blood, had they recalled their Ambassador? No. When war was declared by the French Republic, yet we did not wage war with France. In whatever steps we took, it was declared that we would not interfere with the internal affairs of France. To propose any such course was to depart altogether from what he understood as the Liberal tradition; and he was certainly surprised to find among the leaders of the new crusade the right hon. Gentleman the Member for Birmingham and the right hon. Gentleman the Member for Greenwich. The right hon. Gentleman the Member for Birmingham, the apostle of peace, had said that he would like to join a crusade. A crusade for what? To carry on a war against a great Power and to exterminate the Turks from the face of the earth if possible. He had gone far beyond the right hon. Gentleman the Member for Greenwich, who would only have them removed, "bag and baggage." He (Mr. Baillie Cochrane) supposed this meant the expulsion of the Turks from the country. [Mr. Gladstone: No.] He believed that it had been explained to mean only a change of Government—[Mr. Gladstone: Yes]—and that certainly was not so bad as extermination. The right hon. Gentleman had spoken much about doing certain things in the interest of humanity; but in his speeches, and certainly in his pamphlet, which had been translated into Russian and circulated in that country, he had done so much to mislead the Russian Government that he (Mr. Baillie Cochrane) would go the length of saying that, but for the pamphlet, peace would have been restored before now. It was unlucky in the interests of humanity that the right hon. Gentleman made those speeches and issued that pamphlet, for the Russian Government were misled by the manufactured excitement got up by the right hon. Gentleman—an excitement which was produced by appealing to the generous instincts of the English people, instead of relying upon the only policy which could be regarded as dignified, safe, and worthy of the British nation. In this matter, their's must be an English policy. England had a Colonial and an Indian Empire to maintain, and in doing this one of her first duties was to prevent Russia from taking possession of Constantinople. Had hon. Gentlemen considered what sort of Government they were going to put in the place of the Turkish Government? The Russian Government? He referred to this, because the speech of Lord Shaftesbury delivered in July last, in which he said he would rather see the Russians than the Turks in Constantinople, furnished the key-note to the speeches which had been delivered on the side of the question which he (Mr. Baillie Cochrane) deprecated. What was Lord Shaftesbury's opinion of Russia in 1860? In a debate that occurred in the House of Lords in that year, the noble Lord charged the Russians with having been guilty of foul and horrible outrages, and referred to the pestilential influence of the Russian Government. He wondered, under such circumstances, that the great Party opposite could bring themselves to support the Russian policy, and could ask that this country should take part in coercing Turkey and in supplanting the Turkish by the Russian Government. He was, therefore, happy to have had the opportunity of hearing in that House—though Turkey had not done what was expected of her in respect to her Christian subjects during the past 20 years—from the lips of an influential Member of the Government, that it was not the intention of Her Majesty's Ministers to bind themselves to a policy which would not be creditable to this country.

MR. GRANT DUFF said, that they had heard a good deal of their obligations under the Treaties of 1856; but if they had certain obligations, were they not bound to take adequate means to fulfil them? The first condition with reference to fulfilling those obligations was to have sufficient means of knowing what went on in the Turkish Provinces, and he thought the English Government had not had sufficient information. The right hon. Gentleman the Secretary of State for War had referred to the conduct of the late Government with regard to the suppression of Consulates, and attributed to that suppression the want of means for procuring sufficient information. He (Mr. Grant Duff) did not agree with the right hon. Gentleman on that point. What he contended for was that before the Consulates were suppressed, we had not the means of ascertaining what was going on in Turkey. The system which had been pursued was an imperfect one. What many wanted to know in this and other countries was why, in the midst of profound peace, had the richest country in the world allowed itself to be so incompletely informed with reference to the state of affairs in Turkey as it had been from the end of the reign of the Great Eltchi up to the present time. He was not going to make any reflection whatever upon any one of our Ambassadors, Secretaries, Attachés, or Consuls during that long period. Everybody who had given attention to the subject knew that among these some were good, some were bad, and some were indifferent; but that was not his point. He could not but regret—and the remark applied quite as much to one side of the House as to the other—that, in spite of warnings the most clear and most precise which could be imagined, no Prime Minister and no Secretary of State for Foreign Affairs took the pains to see that the Foreign Office was provided with anything like adequate means of information about the state of things in European Turkey. In the year 1864, the late Lord Strangford, who knew as much about the Eastern Peninsula as almost any then living Englishman, published an extremely brilliant paper, which was read, or should have been read, by everyone who cared about European politics, in which he pointed out how very little accurate information was procurable about Turkey, especially the European part of it, warned the Government of the day that great trouble might at any time arise in that country, and entreated it to spend a little money in strengthening the hands of our Ambassador at Constantinople by giving him the help of a few men whom he might send about to become thoroughly acquainted with the outlying Provinces of that composite Empire, so as to be able to know far more accurately what was going on in distant parts of it, than he could do by means of the existing diplomatic and Consular organization.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present—

MR. GRANT DUFF proceeded to say that he wanted to know why this proposal was never carried into effect. Perhaps there was some good reason against it. If so, those who from 1864 down to the present had believed that it ought to be adopted might venture to ask if they might hear that reason. But was

Lord Strangford's proposal ever seriously considered at all? He did not believe it, and yet he was as firmly persuaded as he was of his own existence that if it had been considered and adopted when Lord Strangford first proposed it, or even at a much later date, it would have prevented most of the miseries which we were at present deploring. Supposing Lord Strangford's idea had been realized, one of the travelling Secretaries of the Constantinople Embassy would, on his arrival at the capital, after a short sojourn there to learn certain things which he could best learn from the Ambassador and persons in his *entourage*, have been told off to study on the spot the whole circumstances of the Bulgarian speaking districts both north and south of the Balkan. In two years a man of the proper kind would have had a thorough acquaintance with these, and would all the time have been pouring a stream of information about them, first into the Embassy at Constantinople, and then through it into the Foreign Office. He would have made personal connections all over the country, would have become the friend of the leading Christians and of the leading Mussulmans, and have known everything that was going on. If Sir Henry Elliot had had such a man by him, was it possible to imagine that he would not have been warned of everything that happened last May? Would he not have known all about the intended insurrection, and have been in a position to bring his great influence to bear upon the Porte in order to its being dealt with in a satisfactory manner? A very small sum would have been wanted to give the Foreign Secretary all the information that he could possibly require in order to enable him to deal with any imaginable crisis that could have arisen in the vast dominions of the Sultan. If the clouds which now lay so thick over the European dominions of Turkey passed away without sweeping the Sultan and his Government into destruction, he sincerely hoped that the question whether it was not necessary to strengthen the Constantinople Embassy in the way to which he had alluded would be most anxiously considered; and what was absolutely necessary with regard to Turkey was equally necessary with regard to another great Empire, where some untoward event might at any moment upset the exquisitely-delicate systems of balance upon which its life depended, and bring Europe face to face with difficulties even more terrible than those of to-day, difficulties with which our Foreign Office in its present absence of full information would be perfectly powerless to deal.

Mr. PERCY WYNDHAM said, he had listened with great attention to the speech of the right hon. Member for Greenwich (Mr. Gladstone), but he thought that that speech would fail to convince the majority of that House or of the country that the view taken of Treaties by that right hon. Gentleman was to be preferred to their plain and commonly-received interpretation. It was distinctly laid down in the Treaty of 1856 that the Powers were not to have the right either separately or collectively of interfering between the Sultan and his subjects, or in the internal administration of his Empire. He agreed with the hon. Member for the Isle of Wight (Mr. B. Cochrane) that the time had come, early as it was in the Session, when they ought to inquire into the meaning of the tone assumed by the Opposition on the first night of the Session, and also throughout the Recess. Nothing, in his opinion, could be clearer than the conclusion that they had a War Party in this country, although, by a strange coincidence some of its most eminent adherents belonged to the Peace Society. It was not necessary to go far into the speeches of hon. Gentlemen opposite to show that this, although parodoxical, was a true statement. Even the hon. Baronet the Member for Chelsea (Sir Charles Dilke), who did not show in his speech to his constituents any of that virulent *animus* against Turkey to which they were accustomed, said it would be disgraceful to the Government and the country to retreat behind the arms of Russia from the consequences of Lord Derby's despatch. What did that mean but a threat of coercion? The right hon. Member for Birmingham (Mr. John Bright) pointed to the example of the Crusades—not to denounce the barbarity and cruelties of the feudal system—but, as worthy of admiration, and to stir up the religious prejudices of the past, for which purpose he did not scruple also to recall the recollection of Bethany, Calvary, and the Mount of Olives. The

Duke of Westminster also, as President of the meeting at St. James's Hall, asked why the Fleet and Army of England were not sent to Constantinople, not to defend it against Russia, but, if necessary, to coerce Turkey? Again, although "the bag-and-baggage" policy did not distinctly appear in all the Recess speeches of the right hon. Member for Greenwich, yet the spirit of that policy underlay the whole of them. The right hon. Gentleman said that his views had never been repudiated at any public meeting; but it was equally obvious that the opinion of the country could not be gathered from the cheers of a few idle persons loafing about railway stations. The people of England were averse to war on that question—not because they did not wish the subjects of Turkey to be better governed, but because they did not see the means by which the object was to be attained. The noble Lord the Leader of the Opposition on the 8th instant taunted the Government with having changed their policy, losing sight of the fact that different circumstances required different language. The noble Lord was also forgetful of the difference in his own key now from that of his speeches last Session. He had listened with great satisfaction to that change of key on the part of the noble Lord, because it showed that he was satisfied in the main with the position this country now occupied on that question. He had also heard with much satisfaction the statements which had come from the Ministerial bench that evening, and he hoped that no pressure which might be applied would cause them to depart from the policy thus announced. The policy of coercion without any intention of putting it in force was not unknown in this country. It was largely in favour with hon. Gentlemen opposite when they were in power. They all remembered, during the progress of the war between France and Germany, when the policy was tried, for which the right hon. Member for Greenwich was chiefly responsible, of seeing what advice would do with Prince Bismarck, accompanied with a threat which there was no intention to put in force—a policy which failed, and deserved to fail, ignominiously, and which brought discredit on this country and on the Ministers who advised it. He did not know whether the Government intended to renew negotiations in any shape now that the Conference had ended; but he hoped that they would not assume an attitude towards Turkey or use any language to the other Powers which would either force then into a cruel war with a friendly Power against the interests and the traditional policy of this country for an end it might be good in itself, but the means of attaining which were dark and inscrutable, or would oblige them to withdraw from plain intentions which they had authoritatively announced.

MR. EVELYN ASHLEY said, he would have been glad to have seen the debate confined to our Treaty engagements; but the hon. Member who had just sat down and the hon. Member for the Isle of Wight (Mr. B. Cochrane), both belonging to the enthusiastic order of foreign politicians, had so greatly misrepresented what had been said by some Members of the Opposition during the Recess that he felt bound to reply to them. It had been sought to make out that many Liberals had advocated the duty of a war against Turkey on behalf of its Christian subjects; and, in fact, desired to carry on a crusade against what might be called a crescentade. They had never said there was any duty of the sort imposed on us—the only duty in the case being for this country never again to support Turkey in maintaining her oppressive dominion over those subject races. But they further said, and he now maintained that if our Government sincerely apprehended such great dangers to the interests of this country as they alleged would arise from a war between Russia and Turkey, then it ought to come forward and prevent that war in the only way it could be prevented—namely, by coercing Turkey to give way to the demands of united Europe. Who could have a doubt that Turkey would have yielded at the Conference if she had known that the greatest naval as well as the greatest military Powers in the world were about to unite against her? And even now, if she knew that the power of England would be exerted against her, she would give way and make peace. It was simply an Ottoman doctrine that they must yield to superior force; but the Turks did not believe that Russia alone was a superior force, and they would not yield at the Conference because they believed they could deal with Russia single-handed. He quite agreed with Lord Derby that we ought not to threaten unless prepared to put our threats into force; but he protested against beginning by saying to those whom we wished to influence in a certain direction that we would not use force to obtain that which we were going to ask for. That was what had happened now. On the 19th December Lord Derby informed the Turkish Ambassador that Her Majesty's Government did not contemplate any measures of active coercion. That was volunteered; and if the House wanted to compare with this a case in which coercion was allowed to remain as possible and see the different effect, they must go back to November, and they would see that the Conference was forced upon Turkey against her will. On the 13th November, 1876, Sir Henry Henry Elliot wrote:—"I replied to the Grand Vizier that it had been decided that there must be a Conference." And if they went still further back, to what occurred in 1860, when French troops were sent to the Lebanon, they would remember how promptly the chief culprits were executed—a great contrast to the wretched results of our despatch of the 21st September. This was the alphabet of the whole thing. Nothing could be got out of the Turkish Government without force; and why not acknowledge it at once? If the Government thought it better to leave Russia to apply force, let them say so. If they believed it to be contrary to our interests to allow that, then they on that side of the House said that it was the duty of the Government to obtain what was wanted in conjunction with Russia and some other Power. The Secretary of State for War had said that the Government did not take action sooner in regard to the atrocities in Bulgaria because they had not sufficient evidence of them at first, and he insinuated that the blame rested with their Predecessors in office—the Liberals—for reducing the number of Consuls in Turkey; but the present Government did not at any rate appear to have missed them, as it was obvious from the reply given to him (Mr. Ashley) on a former occasion last Session by the Prime Minister, after conferring with the hon. Gentleman (Mr. Bourke) that the Foreign Office had received dispatches from the Consul at Philippopoli, although there was no longer one there at that time. The right hon. Gentleman had also observed that "history repeats itself." Well, whether history would repeat itself to the extent of our remaining too long aloof from active interference with regard to the protection of the Christian population of Turkey remained to be seen; but the right hon. Gentleman would do well to remember that the result of the campaigns of 1827-28 was not very favourable to the Turkish Empire. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) had alluded to some observations of a near relative of his (Mr. Ashley's) as being the head and front of the whole agitation respecting the Bulgarian atrocities. What Lord Shaftesbury had said was, that he would sooner see the Russians at Constantinople than that things should be left as they were, and that nothing should be done.

Mr. BAILLIE COCHRANE: The noble Lord's words were, "He would rather see the Russians at Constantinople than the Turks in Europe."

Mr. EVELYN ASHLEY said, the context would show that what was meant was, that sooner than that things should remain as they were, he would rather see the Russians at Constantinople than the Turks in Europe. The alternative, however, was not necessarily one between Russia and Turkey—it was between some government and no government at all. The Liberals could have no sympathy with Russia, who was 200 years behind the rest of the world, and ever seeking to increase her overgrown Empire. The reason of the meetings held in the autumn was a general conviction that Her Majesty's Government had failed to convince the Turkish Government of English horror of the massacres, and that this country would not stand by it. Lord Salisbury, in a despatch to Lord Derby, dated December 26, 1876, speaking of his interview with the Sultan, said—

> "He appeared to be fully convinced, in spite of my assurances to the contrary, that the alienation of a large portion of the English people was due rather to the repudiation of the Turkish debt than to the atrocities in Bulgaria."

Was it the speeches of Lord Beaconsfield; was it the articles in the Tory Press, which at so late a period led the Sultan to believe that England did not care the least in the world about the atrocities, but was influenced only by the repudiation of the Turkish Debt? Lord Salisbury continued—

> "His Majesty laid much stress on a law to which he had assented, by which the repudiation of last year was repealed, though it had not been possible as yet to make any provision for the payment of the debt."

The Sultan also "dwelt in terms of felicitation on the liberal measures contained in the Constitution," and His Majesty might also have added, with fitting irony, "though it had not been possible as yet to make any provision for their execution." One thing, however, was certain—namely, that this country would never allow itself to be drawn into a war to support the domination of Turkey by any technical interpretation of the words of Treaties which, as the hon. Member for Liskeard (Mr. Courtney) had well said, died of inanition, from the exhaustion of the soil in which they had been planted, and under altered circumstances had become of no force.

SIR H. DRUMMOND WOLFF protested against the notion that the protest which had been raised in this country against the horrible acts perpetrated in Bulgaria had emanated less from Members on the Ministerial side than from Gentlemen on the other side of the House. When those questions were the subject of debate last Session, they were discussed by himself and others near him in no Party spirit. He himself had seconded the Amendment of his hon. and learned Friend the Member for Marylebone (Mr. Forsyth), the object of which was to secure guarantees of good government for the Slavonic Christians. He remembered, however, that once when the atrocities of Bulgaria were under consideration there were absent from the front Opposition bench the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) and the right hon. Member for the University of London (Mr. Lowe), who had so much distinguished themselves during the Recess. He considered that when the Government were engaged in difficult and delicate negotiations with foreign Powers, in which peace or war was involved, it was the duty of all who desired to maintain the influence of the country to support rather than to thwart the efforts of the Ministry. The duty of the latter was difficult enough without needless obstruction being thrown in their way. But the Opposition had not acted in accordance with that spirit. The difficulties of the Conservatives, even under such trying circumstances, had proved the opportunity of the Liberals, and they might henceforth expect to find foreign complications made, if possible, the stepping-stone to office. He now maintained that Her Majesty's Government were not responsible for the conduct of Turkey towards her Christian subjects and for other things deemed objectionable in the conduct of Turkish affairs. Sympathy for the Christian subjects of Turkey was not only not a monopoly of hon. Gentlemen sitting on the other side of the House; and if those populations were still in an unfortunate condition, it was owing as much as anything else to the neglect and even the insult with which they and their interests had been treated by successive Liberal Administrations. He would quote, in the first place, from a despatch dated July 3, 1862, from Lord Russell to Sir Henry Bulwer, written with reference to Servian complications existing at that time. Lord Russell wrote—

> "All those Powers who signed the Treaty of 1856 must be aware that there exists a conspiracy, scarcely concealed, in all the Provinces of European Turkey to throw off the rule of the Sublime Porte, and to substitute for it some kind of anarchy. Some persons talk of a Slave, some others of a Greek Empire: all look to plunder, to power, to revenge, to bloodshed. In this position of affairs it is incumbent on the Great Powers represented at Constantinople to give the most striking proof of their fidelity to their solemn engagements, their regard for a Power whom they have admitted into the European system, and their determination to preserve unbroken the general peace."

A Conference was held at Constantinople the same year with regard to the bombardment of Belgrade, and Lord Russell wrote to Lord Napier on the 10th of July, 1862—

> "I have to instruct you to state to Prince Gortchakoff that Her Majesty is determined, in the Conference, proposed at Constantinople, to maintain the engagements contracted by Her Majesty in the Treaty of Paris of 1856."

At that time exactly the same remonstrances were made by the Court of St. Petersburg with reference to the Christian provinces of Turkey as had lately been made; and if Her Majesty's Government were to blame for the course they had adopted, it must be for following the precedent set by Lord

Russell and his Colleagues. There was a despatch he would read from, which had never been officially published, but which appeared in the newspapers in 1862 at a time when public attention was occupied by other topics—chiefly by the American War—and little regard was paid to Eastern questions. There had been a rebellion in Herzegovina, simultaneously with the bombardment of Belgrade, but having nothing to do with that event; and after strong representations had been made on the subject by the Court of St. Petersburg, Lord Russell wrote, on the 30th of September, 1862, to Her Majesty's Representative at that Court—

> "Her Majesty's Government have to express their regret that they cannot agree with the views of Prince Gortchakoff either on the general question of interference in the affairs of Turkey or in the particular question of Montenegro. Her Majesty's Government have always understood that when Turkey was allowed to form part of the system of Europe she was to have all the advantages and be liable to all the duties of an independent State. She was, in short, to be as independent as Prussia or Portugal, Sweden or Saxony, and, on the other hand, to be bound like those States, by the faith of Treaties and the ties of international comity and goodwill. If this be so, it is not justifiable when Treaties are silent to interfere without necessity or provocation in a case where an insurrection has broken out in Turkey, and that insurrection has been supported by a neighbouring Prince. Such was the case in Herzegovina, where an insurrection broke out, and in Montenegro, from which it was fomented and supported. If the Prince of Montenegro was a vassal, the Sultan had a right to reduce him to obedience and to impose such conditions as will secure that obedience for the future. If he was an independent Prince, the Sultan had a right to force him to accept such terms of peace as would prevent a renewal of such aggression. . . I will not conclude without giving, in a few words, the views taken by Her Majesty's Government of what is going on in Turkey. If the Slavonic and Greek subjects of the Sultan rise in insurrection and that insurrection is suppressed, the weight of authority will be made heavier, privileges will be withdrawn, and the money which ought to be expended in making roads and harbours, and in promoting improvement, will be diverted to the pay and maintenance of a large military force. If, on the other hand, the darling scheme entertained in some quarters of overthrowing the Turkish rule should be successful, Greeks and Slavonics will quarrel, each Province will claim supremacy, civil war will ravage the counties where the authority of the Sultan shall have been thrown off, and an appeal will be made to the Great Powers of Europe to put an end to this anarchy by dividing among themselves the Turkish Provinces. But the European Powers would hardly be able to perform this task without giving rise to fresh conflicts—probably to a general war. Such are the views which induce Her Majesty's Government, while sincerely desirous of improving the condition of the Christian subjects of the Porte, to refuse all countenance to projects which in Greece go by the name of the 'great idea,' and which, whether Greek or Slavonic, tend to the disruption of all existing ties of allegiance in the Turkish Empire, and are more or less connected with the criminal intrigues of which Turkey feels the effects in Servia, and which aim no less at the subversion of every Monarchy in Europe than at the integrity of the Ottoman Empire."

That despatch was written by a Member of a Government to which belonged the right hon. Gentleman the Member for Greenwich and the Duke of Argyll; and he thought that before they ventured to utter such taunts against the Government, and to bring to bear upon them the terror of their influence throughout the country, which had been so strongly manifested in that House that night, he thought they should take a little pains to read up the history of the past. The policy indicated in that despatch was defended by the right hon. Member for Greenwich himself, who, on May 29, 1863, in the absence of Lord Palmerston, said in this House—

> "It is not now necessary to go back to a discussion of the causes of the Crimean War, but I am bound to say that when we speak of non-intervention in Turkey—when we speak of repudiating all ideas of resisting the natural and general development in force, numbers, and intelligence of the Christians of that Empire—we by no means mean to assert that the ancient policy of this country is to be repudiated, and that we hold it henceforth a matter of indifference what schemes are formed by any foreign Power against the existence, or against the territorial independence, of the Ottoman Government. And I am bound to say also, that while a real and lively sympathy does exist throughout the country for the Christian population of Turkey, on the other hand there does exist a belief that the principles on which the Crimean War was waged were sound principles. . . . Let us endeavour to inculcate on the Ottoman Government a spirit of liberality and justice, so as to induce it to seek its strength rather in the mild and equitable treatment of its Christian subjects, than in straining its power against them; but let us remember that with the general obligations of humanity and prudence in regard to the subjects of that Government must be combined those special obligations of good faith which we have undertaken towards the ruling authority itself."—[3 *Hansard*, clxxi. 145-147.]

The same policy on the part of the Liberal Party could be traced up to the time of the Treaty of 1871. It must be borne in mind that meanwhile Reports were regularly received from the Consuls about the state of the Christian

Provinces, and that those Reports showed as then existing the very same grievances which ultimately caused the people to rise—namely, denial of justice, the oppression of the zaptiehs, and grinding taxation. The right hon. Member for Greenwich said the other day in an off-hand way, when the Chancellor of the Exchequer alluded to the Treaty of 1871, the Government were not bound in making such a Treaty to know the state of every province in the Empire. This was a curious doctrine. As a matter of fact, the Government declared that it did know the state of the Provinces in question. But to show what the views of the right hon. Gentleman and of the Liberal Government were in 1871, he would read an extract from the proceedings of the House on March 30 in that year. Lord Enfield said, in answer to a Question—

> "The sacrifices of this country during the Crimean War of treasure, and the yet more precious sacrifice of blood, had not been thrown away. The position of Turkey since the Crimean War had been ameliorated. Turkey had been able to equip, man, and hold a Navy which was in a creditable state of efficiency, and her Army was in such a condition as would enable her to hold her own against hostile visitors. The internal condition of Turkey had also improved since the Crimean War. The Danubian Provinces had secured autonomy; the Christian population and subjects of the Porte were no longer as hostile to her rule as formerly. . . . . It (the Treaty) assured her (Turkey) of the material support of her allies, not only in times of actual and existing danger, but when danger might only be apprehended."—[3 *Hansard*, ccv. 965-971.]

The right hon. Gentleman the Member for Greenwich also spoke on that occasion, and said he was perfectly satisfied so far as the position of the question was concerned in connection with the action of the Government, to let it rest on the speech of his noble Friend the Under Secretary of State for Foreign Affairs. It was clear, therefore, that the state of Turkey appeared to the right hon. Gentleman then to be satisfactory, notwithstanding the Consular reports, and the Treaty was, in consequence, renewed, and she received increased guarantees. If the Government of that day now disowned all knowledge at that time of the state of the Turkish Empire, why had a favourable construction been then alleged as the reason of the Treaty? But up to a later date the policy of Her Majesty's present Advisers was approved by right hon. Gentlemen opposite; and he was, therefore, at a loss to understand why it was that the noble Lord the Leader of the Opposition in that House the other day took the Government to task for the despatches which had been written before the Recess. The noble Lord gave his approval to the action of the Government up to the 31st of July last, when he disappeared from the House to find himself, no doubt, in some pleasanter quarter. The noble Lord, on the occasion to which he referred, used these words—

> "From what I have said it will be clearly seen that I have no desire to place upon record any condemnation of the conduct of the Government. I think that, in the main, the policy which they have adopted is right."—[3 *Hansard*, ccxxxi. 224.]

Coming from the Government side of the House that language would have been considered a general approval of the policy of the Government—coming from the noble Lord it was a positive benediction. He could not, however, conceive anything more calculated to damage the character of public men than the attacks made on the speech delivered on the 9th of November by Lord Beaconsfield at the Mansion House. We were at that time about to enter into the Conference. Lord Beaconsfield knew that the Russian Army had been mobilized, and that large masses of troops had been collected in the Caucasus, and wherever they could be placed in a menacing position to Turkey. He also was aware that the Austrian Army was in a state of high efficiency, and that France, Italy, and Germany were heavily armed. It was, therefore, the duty of Lord Beaconsfield to point out that we were not going into the Conference with fear; but that, so far as our ability to carry on a war was concerned, we were on a footing with the most powerful nation. Last year, when a discussion had been raised by the hon. Member for Dundee (Mr. E. Jenkins), he (Sir H. Drummond Wolff) had said that our position was analogous to that in which we stood in 1853, when the Russians had crossed the Pruth, seeing that the Servians had crossed the Drina and that our fleet had been sent to Besika Bay, where, if it had been sent sooner in 1853, the Crimean War, as had since been admitted by a Russian diplomatist, would never have occurred. There were certain analogies also in the case of speeches at the Mansion House. It was notorious that we had drifted into the Crimean War owing to the vacillation and the timid utterances of Lord Aberdeen's Government. That noble Lord, on the 9th of November, 1853, made a speech at the Mansion House in which he said—

> "In a country such as ours, and in a height of civilization such as that in which we live, the real triumphs of a Minister must consist in promoting the progress of industry and the development of the national resources. Such a course is the object of Her Majesty's present Government. I trust that nothing may happen to impede our onward progress, and that whatever reforms may be necessary will be carried on in the absence of any disturbing causes, whether foreign or domestic. When last I stood up in this room as the guest of your Lordship's predecessor, I declared that the policy of Her Majesty's Government was a policy of peace. I desire now to repeat that declaration, and I go further and say that no other principle of policy will ever be announced by me. But, emphatic as those words may be, let me not be understood as conceiving the impolicy of war, because the occasion may arise when war cannot be avoided, except at the expense of our country's honour. All I can say is that, as far as I am concerned, war will never be undertaken except with reluctance and when imperatively demanded by the honour and interest of the country. Such I believe to be the duty of an English Minister as I am sure it is that of a Christian man."

But that very morning Lord Aberdeen had received a manifesto showing that war had been declared by Russia against Turkey, and two days before a Circular had been sent to Her Majesty's Ambassadors abroad stating that the English and French Fleets had been ordered to enter the Dardanelles. Within three weeks occurred the disasters of Sinope. Which, then, he should like to know, was the more likely to preserve the honour and interests of the country, the speech of Lord Aberdeen in 1853, or that of Lord Beaconsfield in 1876? And if the speech of the latter noble Lord was felt to be a menace to Russia—which it was never intended to be—it was only because for Party purposes attention had been called to his words by right hon. Gentlemen opposite and some less prudent practitioners who "darkened wisdom with words without knowledge." As to the discussion of that evening and the speech of the right hon. Gentleman the Member for Greenwich, what struck him most about them was that they really meant nothing. He might say the same of the right hon. Gentleman's Questions, which were answered by his right hon. Friend the Secretary of State for War, who gave great proof of his capacity in being able to reply to inquiries so hazily conceived. As to our policy, he believed the proper course to pursue was to maintain concert with the other Powers and neutrality, but armed neutrality, as at the present moment. There was, however, great difficulty in preserving that concert, and the reticence shown by the Government as to the reports from Germany and France, showed how delicate was the task. In that absence of concert he would ask hon. Gentlemen opposite did they intend to act with Russia alone? And here he would remind those who, like a noble Duke in "another place," urged the adoption of a course similar to that which was taken in the case of Syria, that there had been great difficulty in terminating the occupation of that country by foreign troops, although France had to send her soldiers to a great distance from their centre. If, then, Russian troops were once to enter the insurgent Provinces of Turkey, the difficulty of getting them out again, the House might rest assured, would be more formidable than hon. Gentlemen opposite perhaps foresaw. He, at the same time, had a great admiration for Russia and for her Ruler. He admired the devotion of the Russian people to the Czar and to their religion; but unfortunately that devotion too often showed itself in a desire to extend their Sovereign's dominion over territories which were not his, while their religious fervour was strongly tinctured with political rapacity. He believed the peaceful professions of the Czar were sincere, but the Russian people were often too strong for the Government. He could not forget the incorporation of Khiva, notwithstanding promises which had been made, nor the fact that in 1853, after the Russian Government declared that it had no intention of attacking Turkey, they immediately destroyed the Turkish fleet at Sinope. "But," as Lord Palmerston said in March, 1854—

> "The real question is, not what you would wish to see established in the Turkish Empire, but that which you are determined shall not be established—it is not what might be, but what, for the interest of all Europe, ought not to be. And that which ought not to be, and that which I trust Europe will take care shall not be, is the transfer of those countries to the sceptre of the

Emperor of Russia." — [3 *Hansard*, cxxxii. 278.]

He had but a very few words to add. He did not appeal to the mercy or forbearance of hon. Gentlemen opposite. If they could displace the Government, let them do it. But they could not, for he knew that the Government was supported by Parliament and the country, with the exception of one or two little boroughs, which were of scarcely any consequence. The country desired to continue Her Majesty's present Advisers in office, because it could not hand over its interests to men whose vacillation had brought on the Crimean War, or who were steeped to the chin in the humiliation of the Alabama Treaty. If the question were ever brought to issue, it would, at all events, be decided not by the cries of partizan disappointment, not by the petulance of tempestuous Dukes, nor by the balderdash of provincial Reform Clubs, but by the calm and deliberate perception and the earnest recognition by a Representative Assembly of a righteous policy and a sterling national purpose.

MR. WHITWORTH stated that having been for 18 years in the service of Russia on the shores of the Black Sea, he might perhaps be permitted to say that that Power was but very little known, either by the House or by the Government. In dealing with the Government of Russia they were dealing with men of the highest rank; but with the exception of the Emperor, who was the best man in his dominions, he had no hesitation in saying that the Members of the Government were adepts in lying—that they were full of deception, and that if any Minister believed what they said, unless it answered their own purpose, he would be very much mistaken. Although Turkey was bad enough, unfair blame had been cast upon her. To his own knowledge there had not been a good Governor in Servia, Bosnia, or Herzegovina, whom Russian corruption had not soon got hold of. All the advantages she had gained in those countries had been obtained by bribery and corruption. It had always been the case with Russia. These were matters which ought to be borne in mind. If he had a choice as to whether the Turks or Russians should have Constantinople, he should say the Turks. They were truthful and honourable, which was more than could be said of the Russians. In his opinion, if Her Majesty's Ministers had not sent the Fleet to Besika Bay, there would have been war long before now. If Russia knew that Turkey would be assisted by any European Power, she would consider a good deal before she went to war, for any European Power could crush her easily. He did not think she was a formidable naval Power. He was interred in Moscow in 1854-6, during the Crimean War; and, although it was said that Russia did not suspend cash payments, people had to pay 20 per cent in exchanging notes for gold. Moreover, if anyone went to the Bank to change a £5 note, he had to wait four hours before he got the money. He liked the Russian people, and he knew no nation that would be more useful to England than Russia, if only she would give up her aggressive designs. England would also be very useful to her, for she had many things which we wanted, and we had hundreds of things which she wanted. For instance, he did not know of a single invention of any sort that ever emanated from Russia, and he did not think any hon. Member could mention one. The same could not be said of any other nation in Europe. He would give an instance of the ignorance of the English Government—or rather of their servants—at the time of the Crimean War. When the English Fleet appeared at the mouth of a river, and remained there five or six weeks, a single frigate might have sailed up the river to the town, and have destroyed everything there; but, when he suggested it to the officers, they said they could not get up the river. These things ought to be known. They could not let Russia take possession of Constantinople. He did not know a greater evil that could happen to Europe. With respect to atrocities, it was a repulsive subject; but he had mentioned to many people facts that he had known himself, injuries inflicted by their own people upon honourable married women, as bad as ever were inflicted by the Turks. Therefore, if anyone were to say — "Fight for Constantinople," he would fight. He believed no greater misfortune could befal Europe than the extension of Russian rule to Constantinople.

MR. FORSYTH said, that after the speech of his right hon. Friend the Secretary of State for War, he found it difficult to understand what the Treaty engagements were which, in the words of Lord Derby's despatch, might "place England in a most unsatisfactory and even humiliating position," because "the sympathies of the nation would be brought into direct opposition to those engagements." The only Treaties that could be alluded to in the despatch were the Tripartite Treaty of 1856 between England, Austria, and France, and the Treaty of Paris of the same year, and he did not think that Lord Derby had referred to the former, for it was an almost impossible contingency that Austria and France should call upon England to go to war in defence of Turkey. Besides, in a despatch of the 6th December, 1876, to the Marquess of Salisbury, Lord Derby said that though this country would not use any military or naval force against the Porte, yet the Government of Turkey must understand that they must not expect any assistance from England. That was said, notwithstanding the Tripartite Treaty which he had just referred to. Could the despatch apply to the Treaty of Paris of 1856? The Secretary for War had said that that Treaty did not bind this country to go to war for Turkey; and, therefore, in neither case could the attitude of this country in the autumn be the cause of any peril to our Treaty engagements. It had been argued with great force that that Treaty did not bind this country to go to war for Turkey, but what it did was this—England, Austria, France, Prussia, Russia, and Sardinia engaged to guarantee the independence and territorial integrity of the Ottoman Empire. They promised and guaranteed so much at all events. Now, there had been no question throughout these discussions about the territorial integrity of Turkey, which meant that the Porte should have titular sovereignty over the provinces, whatever might be the local administration. The right hon. Member for Greenwich (Mr. Gladstone) in May last said he was not ashamed to state that he would maintain the territorial integrity of the Turkish Empire. Then, as to its independence. What had been done during the past 18 months? It was laid down by Wheaton and other jurists that every foreign State might freely exercise its own rights without interference, and yet he found that instructions were sent to Lord Salisbury which would lead to the most direct interference with the Ottoman Government, and Turkey had protested against this as an attack upon her independence. He did not say that Her Majesty's Government were wrong; on the contrary, he thought, they were right, but it was an interference with the independence of the Porte. By the common law of nations they had no right to interfere with each other, and the Treaty of Paris made that stronger. His object was to point out that as they had gone so far they need not be very squeamish in going still farther. He said that this country was in this dilemma—either it was bound by Treaty not to interfere, in which case it had broken that Treaty already, or it might deal with the Ottoman Government free from any Treaty engagement whatever, except that of the Tripartite Treaty, which Lord Derby said would not be put in force. Taken from any point of view, the hands of the Government of this country were practically free, and England might follow the dictates of justice and humanity. The agitation of last autumn had been much misrepresented and unfairly attacked. He took no part in that agitation because he did not want to do anything that might have the semblance of hostility to the Government. And whatever some impetuous orators might have said, there was no wish on the part of the great majority of the speakers to displace the Ministry. The people having had no distinct declaration of the intention of the Government not to go to war in favour of Turkey, thought it necessary to express the feeling of the nation. Lord Derby said to a deputation, which he (Mr. Forsyth) had himself attended, that he wished to know the feeling of the people of England; and it was not unnatural that when the minds of the people were stirred to their inmost depths by what had taken place in Bulgaria, they should resolve that, come what would, they would not go to war in defence of Turkey.

Mr. P. J. SMYTH: Sir, as this Eastern Question presents itself to my mind as one of nationality, the House, I am sure, will extend to me for a few moments its indulgence. It is evident from the speeches of the right hon. Gentleman, the Member for Greenwich, and of the right hon. Gentleman, the Secretary of State for War, that the line of demarcation between Government and Opposition must be more clearly defined than at present, before either Party can venture to indulge in the language of censure, or lay claim to be the true exponent of the national feeling. Both Parties are animated by an intense desire for peace —peace, I should say, almost at any price; and the difference in policy, if any real difference there be, has regard, not to the end, but to the means by which that end may be most effectively secured. The noble Earl, the head of the Government, in the early stage of the complication, conceived (and it must be acknowledged not without a show of reason) that the best way to preserve peace was to present a bold front to Russia; while Leaders of the Opposition imagined that the best way to attain the same end was to threaten Turkey. The threats (some of them at least) are very fierce on paper; but if examined minutely, they will appear to be harmless enough. The Liberal Party said, in effect, to Turkey—"We have sustained you so long, but your Bulgarian atrocities are more than we can sanction. If you imagine that for the sake of a traditional policy we will turn Bashi-Bazouks, and aid you in the perpetration of nameless horrors, you are mistaken. Our high morality forbids us going that length, and we indignantly disclaim all responsibility for such practices." Such, so far as I am able to make out, was the policy, and such the morality, of the Liberal Party—a policy of "Cease to do evil," but unequal as yet to the morality of "Learn to do well." At present the policies, or no-polices, of both sides of this House, bear so close a family likeness, that it is impossible to distinguish between Cossacks and Osmanli in this House. The technical point under consideration obliges us to look further back than the Aylesbury speech, or the Guildhall speech, or the Conference at St. James's Hall—to the time when the right hon. Gentleman, the Member for Birmingham, uplifted his voice in this House in manly protest against a wanton war. Russia crossed the Pruth in virtue of a Treaty right, as the acknowledged protector of the Christian subjects of the Porte, who stood in need of protection then as now, and I totally deny that a regard for the welfare of these oppressed people entered into the motives of the allies. The motive of the Emperor of the French was purely dynastic —for French interests pointed then, as they point now, rather to alliance with Russia; the motive of Piedmont was Italian unification; and the motive of England was jealousy of Russia. The Treaty of Peace explains very clearly the motives of the Allies and the real objects of the war. It crippled Russia, it exalted Turkey, and it placed the Christian populations in a more helpless condition than before. So solicitous, indeed, did the Powers show themselves to be for the welfare of the poor Christians, that they emphatically abdicated all right to intervene for their protection in the future. They consigned them to the tender mercies of a Hatti-Houmayoun — whatever that means; but they bound themselves individually and collectively to abstain from interference in the internal affairs of Turkey, and to support her independence and integrity. The Hatti-Houmayoun was from the first a dead letter; yet in face of that fact, that notorious fact, we find the Treaty of 1856 renewed in 1871, and by the right hon. Gentleman, who now, in terms no less just than severe, denounces the crimes of Turkey—crimes, nevertheless, directly traceable, in no small degree, to that Treaty of 1856 and that renewal of 1871. I do not pretend to fathom the statesmanship, that having guaranteed the independence and integrity of the Ottoman Empire, that having condoned the violation of the Hatti-Houmayoun, commissions its Plenipotentiaries at Constantinople to turn the household of Turkey in Europe inside out, and arrange and disarrange everything from the kitchen to the garret. That the Powers individually and collectively, Treaty or no Treaty, had a moral right to remonstrate with Turkey, and suggest improvements, is a proposition which does not stand in need of demonstration; but it is by no means clear that the Conference, in adopting as its basis the Treaty of 1856, and as its first principle the independence and integrity of the Ottoman Empire, did not occupy from first to last an illegal position. A consciousness, indeed, of this illegality evidently weighed on the Plenipotentiaries throughout, for when the Porte objected that this proposition affected its independence, and its integrity, they felt that they had no resource but to give way; and so concession followed concession on a sliding scale—minimum, reducible minimum, irreducible minimum—till the European concert, which opened with a flourish of trumpets, closed with a penny whistle. I do not share the regrets expressed t what is termed the failure of the Conference. Its success I should have regarded as a calamity, for it would have prejudiced most materially the cause of the oppressed peoples by what would have been construed as a declaration on the part of Europe that with such a modicum of reform they ought to be satisfied, and it would have operated as a renewal of the lease of Turkish domination in Europe. Now, happily, all parties are free, and there is an end, no less by the action of the Porte itself, than of the Western Powers, of the Treaty of Paris. I hope that this Eastern Question will come before this House in a more regular form, and I am confident that, discarding Party considerations, and unterrified by the spectre of Panslavism, it will rise rise to the level of this great argument, and bring to bear on the discussion the light of those principles which give to this House its dignity, and will cause its voice to fall on the hearts of Kings and peoples as the echo of humanity. In the political system there are not only States but peoples, not only Powers but nations, and the most important consideration is, how are these latter affected by the Treaties in question? For though, Panslavism is indeed a fiction, a thing as baseless as the fabric of a vision, Slavism on the Save, the Danube, and the Drina is a reality, a fact, a verity. It struck its roots there before the Turk set foot in Europe, and four centuries of foreign domination have failed to eradicate it. A single battle has often sufficed to end a dynasty or overwhelm an Empire, but it has never in the world's history destroyed a nationality. An Empire went down at Kossova, but the soul that informed it found in Montenegro a refuge and a home. That soul passed into Servia, and when on that Palm Sunday, in 1815, Milosch unfurled in the church of Takovo the national flag, she sprang to her feet, and with the cry "Time and my right," flung the Crescent from the Rudrik mountains. Among the rugged mountains of North Albania a gallant tribe have preserved, pure and untarnished, alike the faith which St. Paul preached to the Thessalonians and the sword which Scanderbeg waved on 20 fields of victory. With Servia free, with Montenegro free, with Moldavia and Wallachia free, what can justify the belief in any rational mind that Bosnia, the Herzegovina, and Bulgaria can continue enslaved. The Bosnians and the Herzegovenese are one in race, in faith, in language, and in history with the Montenegrins and the Servians—why should they not be one in freedom? It is not alleged that the Bulgarians are inferior in physical, moral, and intellectual attributes to the Wallaches—why should their political condition be one of degrading inferiority? We behold at the Antipodes a cluster of young free States, happy and prosperous in the enjoyment of equal liberties, and owning free allegiance to the common Crown of this world-embracing Empire. Let us suppose, for a moment, that the responsible Government, which all now possess, had been conferred on two or three only of these colonies as the reward of successful rebellion, while their sister colonies continued to be governed as vilayets by Pashas from Downing Street — what would be the consequences? That the Bosnias and Herzegovinas of Australia would rise, that the Montenegrins and the Servians would make common cause with them, and that a united people in arms would face the alternative of a common subjection or a common freedom. No matter what the diversity of race, the same passions operate, the same interests prevail, the wide world over. The principles of right, justice, and equality are unaffected by degrees of latitude and longitude. Self-government and foreign domination in south-eastern Europe have borne respectively their natural fruits. Roumania, Montenegro, and Servia are comparatively prosperous and progressive, because of their freedom; Bosnia, the Herzegovina, and Bulgaria are withered and decrepid because of their servitude. Is it not manifest that this absurd and ruinous inequality must end, and that all must be reduced to the same level of subjection, or lifted to the same eminence of freedom? A common subjection being an impossibility, common freedom is a necessity. What, then, is the Eastern Question? It is not Russian domination —the Czar disclaims it, the Slavs would not brook it, Europe would oppose it. It is not Austrian domination—Austro-

Hungary disclaims it, the Slavs would not tolerate it, Europe would resist it. It is not Christianity against Islamism, for the gates of Janus were closed when the Prince of Peace was born. It is not the constitutionalism of Midhat Pasha, the sunburst of the Guildhall, or the humanitarianism of St. James's Hall. It is simply national independence as represented by Servia and Montenegro against foreign domination as represented by Turkey. If the provinces would unanimously agree to accept the nominal Suzerainty of the Porte, there would appear to be no insuperable obstacle in the way of a pacific solution. But that is a matter which rests entirely with the populations themselves, and which they must decide for themselves in a spirit of absolute freedom from external control. It must be assumed that they are the true judges of the degree of political independence which would satisfy their national aspirations; and these aspirations, whatever they be, should be the barometer of Europe in their regard. In any event it must be admitted that they have fulfilled the conditions which could alone justify European intervention. They have put their case clearly and intelligibly before the world; they have proved the reality of their grievances and the sincerity of their patriotism; they have risen, they have faced the hazards and the sufferings of war; they have enkindled a conflagration, whose glare is reflected from the walls of all the palaces and all the halls of legislation—these are the conditions, and they have been fully complied with. Is it reasonable to suppose that a people who have challenged the arbitriment of the sword, who have deliberately encountered the desperate risks of a war of independence, and who have not been beaten, will placidly accept a measure of administrative reform emanating from Constantinople, as a panacea for their wrongs and a fulfilment of their aspirations? They were in arms when the Andrassy Note was endorsed by the Powers and accepted by the Porte; yet they did not lay down their arms, but fought on more desperately than before. They rose, not to wrest a Magna Charta from a Sovereign whose sceptre they acknowledge, but to sever the connection with an Empire whose sway they repudiate. Had representatives of the Slavs and the Greeks been admitted to the Conference, much valuable time would have been saved, for I have no doubt that they would have informed the Plenipotentiaries that what their countrymen required was not an ameliorated servitude, an improved provincialism, a mollified subjection, but liberty, independence, and their lands; and that they were making bricks without straw in attempting, out of such materials as their *pourparlers*, their menaces, their concessions, their reforms, and their Protocols, to construct an edifice of peace. But it must be borne in mind that this Eastern Question has also an Hellenic aspect—that there is, as the right hon. Gentleman (Mr. Gladstone) has taught us, an Hellenic factor in the Eastern problem. And how will the Greeks be affected by the Treaties under discussion? The intelligence of her sons, her history, the wrongs inflicted by the Turks, the bloodshed in the War of Independence—all forbid Greece to rest, while Grecian lands, where the Greek element preponderates, are held and ruled as Turkish Provinces. There are no people in the world among whom the sentiment of national unity more largely prevails than the modern Greeks, and the common aspiration of them all is the establishment of a Kingdom which shall embrace the whole of the Greek race. From whatever island or shore they hail, whether from Candia, or Macedonia, or Thessaly, or Epirus, they all consider themselves to be as rightful citizens of the Kingdom of Greece as if they had been born within the narrow limits imposed by European diplomacy as the boundaries of the Hellenic Kingdom. The Greeks cherish a grateful recollection of George Canning; they have reason also to feel grateful to General Maison, who commanded the French auxiliary force in the Morea; and reason above all to hold in reverence the memory of the Emperor Nicholas, who, with his sword-hilt, stamped at Adrianople the Charter of of the independence of Greece; but they have little reason to feel grateful to those diplomatists who, after one of the most heroic struggles on record, handed them over a kingdom restricted to the dimensions of a municipality. Pericles advised the Athenians to base their greatness rather on money and ships than on population and territory; but our modern diplomatists evidently expected the Hellenic Kingdom to spring into greatness without either territory or population, while she drew her money and ships from the Clouds of Aristophanes. Or, perhaps, anticipating the discoveries of Dr. Schliemann, they intended Greece should fatten on the bones of Agamemnon. I am not unmindful of the cession of the Septinsular Republic, or Ionian Isles; but that tardy surrender was made at a time, and under circumstances, that deprived the act of half its value and all its grace. The indiscreet disclosure of Sir John Young's despatch left the British Government no alternative but to withdraw as the nominal protector, or remain as the avowed oppressor of the Ionians. It chose the better and the more prudent course. And now there are some magnanimous critics who delight to contend that the Hellenic Kingdom has failed to fulfil the expectations of its generous patrons, the diplomatists of England, France, and Russia. I know not what those expectations may have been, but it is susceptible of the clearest proof that Greece has fully justified the hopes of her real friends. If we regard her materially, by the light of official documents, it will be found that in population, trade, shipping, imports and exports, she has, within the period from 1834 to the present date, progressed in a ratio greatly exceeding that of most European States. Athens has been entirely rebuilt since the termination of the War of Independence. I have been assured that 50 years ago there was scarcely a house standing in Athens. If we regard her intellectually, her national University at Athens will compare not unfavourably with some more venerable and richly endowed institutions of learning. Every town of any importance in the Kingdom has its Lyceum for intermediate education, supported by the State, and the communal schools bring primary education within the reach of every Hellenic child. The English critic at least ought to be sparing in his comments, when he is reminded that even under the reign of King Otho, more money was applied annually to public instruction by the Greek Legislature, than was voted annually down to 1831 by the Parliament of Great Britain in aid of the education of the English people. In truth, the intellectual activity and development displayed by the Greeks are wonderful amongst a population so recently escaped from bondage. I question if, regard being had to population, the modern literature of Greece, that which has sprung up in a few years under the inspiring influence of freedom, will suffer greatly in comparison with that of any country in the world. In whatever aspect viewed, then, the Hellenic Kingdom, most unwisely and unjustly restricted as it was in dimensions, must be recognized as a conspicuous political success, a beacon light to the whole Hellenic race, and an inspiring example to the oppressed of every clime. Had the poet-hero of Missolonghi, like his comrade, the gallant swordsman General Church, lived to see the tree of liberty which he planted put forth such foliage, he would be the first to testify that his fondest dreams had been more than realized in the Greece of King George. Among the monuments that adorn or disfigure—it is a matter of taste—this metropolis, designed to perpetuate the memories of men, more or less great, or more or less small, the eye rests on no memorial of him who twined his hopes of being remembered in his line with his land's language. Perhaps it is better thus—that neglected by his own, the world may more freely claim as its inheritance a genius so splendid, and, with all his errors, a soul so grand. I feel proud, as an Irishman, of the privilege of placing an humble wreath on the tomb of him who gave to Greece his earliest song and his latest sigh, and whose first speech in the House of Lords was delivered in defence of the expiring liberties of my country. The revival of a Byzantine Empire, with a renewal, I suppose, on the Bosphorus of the exploits of the Heracleidæ, may be, and most probably is, a delusive dream; but an enlargement of the European Kingdom of Greece is an aspiration, a purpose of the Hellenic race which must be satisfied before there can be a settlement of the Eastern Question. When, after the battle of Navarino, limits were assigned by European diplomacy to the Kingdom of Greece, Thessaly, and Epirus, at least, and the islands of the Ægean Sea, together with the Ionian Isles, the populations of which, mainly Greek, had shared the hazards and sufferings of the War of Independence, ought, in justice and in sound policy, to have been included as a portion of independent Greece. Had this been done, there would have been no need of an Anglo-French occupation of the Piræus during the Crimean War; no need of a Conference at Paris in 1869, to tie the hands of the Greek Government, and prevent it from openly identifying itself with the cause of the Cretan insurgents; no need of the pressure brought to bear last year at Athens, and the delusive promises made, with a view to repress the disposition of the Greeks to war; no need, perhaps, of the Conference at Constantinople, for, stimulated by the example, and sustained by the sympathy and support of a strong free State, the Slav provinces of European Turkey would, in all human probability, ere this have settled for themselves, and in the only way in which such causes ever can be settled, the relations which should subsist between them and the Ottoman Porte. The same considerations of justice and sound policy which ought to have dictated this course in the year 1828 are as cogent now as they were at that time. Yet I do not maintain that it would be expedient for foreign Powers to originate an attempt to rescue this population from the domination of their oppressors, because nations can seldom enjoy true liberty and independence unless they win these blessings by their own efforts and sacrifices; but at least such efforts and such sacrifices should not be discouraged by the Powers of Europe. Slavery may be imposed on a people—liberty cannot be, she must be won—and as a rule the greatness of the effort made to win her is the measure of the fitness to receive her, the best preparation for her enjoyment, and the surest guarantee of her permanency. The Greeks, at all events, have proved themselves, and doing so have shown that the spirit of nationality, like the spirit of nature, is imperishable, and survives

> "What Goth, and Turk, and Time hath spared not."

Temple and monument moulder into dust — silent the oracle; but the cleft mountain and the caverned waterfall are unchanged, and the Fountain of Castalia still sends forth its sparkling rill. The obvious duty of Europe, it seems to me, is simply to second the designs of nature, and help those who show a disposition manfully to help themselves. There are interests, we are told, which must be protected; but if they be *bonâ fide* interests, there ought to be no difficulty in finding a mode of protection without trenching on the rights of oppressed peoples. I grant that until the time shall have arrived for determining who shall be the eventual masters of Constantinople, it is for the interest of Western Europe that the *status quo* should be maintained on the shores of the Bosphorus. But with a view even to such an eventuality, I ask if a free Bulgaria, and a free Thessaly, Epirus, and Macedonia, would not be of legitimate interests, a surer and more becoming defence, than Turkish forts on the Danube, or fortified passes in the Balkans? The forts and passes may be captured — it is an affair of science, of strength, at the most, of time; but free institutions, upheld by hearts and hands of free-born men, form against lawless adventure an impassable barrier. If—which I do not believe—the first line of defence of the Indian Empire must begin on the Danube or the Balkans, let free institutions span the river and guard the passes. The small States of Belgium and Holland fulfil a most important function in the European system, and I fail to comprehend what interest in the East or in the West would suffer detriment from the establishment of a South-Eastern Belgium and a South-Eastern Holland. The spirit of the age, and the accepted morality of *fait accompli*, favour the accumulation of large Empires, and save where here and there a little Switzerland, a Portugal, a Denmark, a Belgium, or a Holland gleams like an oasis, the map of Europe is a wilderness of incongruous immensities. Does not a wise statesmanship dictate the policy of omitting no opportunity of helping into life similar small communities? The material is there — it only awaits the artist's hand to mould it into form. From where Danube pours his impetuous flood through the "Iron Gates," to where the Attic wave beams with its "countless smiles," from Black Sea to Adriatic, there stretches a fruitful and romantic region, the home of historic races; and I can picture for statesmanship no loftier ambition, for power no prouder prerogative, than to aid the struggles of such countries and such peoples to emerge from the tomb in which for centuries they have lain, and rejoice at last in the dawn of their Easter Sunday. History repeats itself, and now Europe is perplexed by a problem similar to that which 50 years ago exercised its statesmanship and put in motion its arm. Europe has grown older, and become, perhaps, more selfish and less chivalrous; but the cause in issue now is the same as was in issue then, and good reasons, I submit, must be shown to justify a departure from the policy prescribed by the genius of Mr. Canning and of Lord Palmerston. I decline to believe that the Republic of Mac Mahon is less disposed to sympathize with and to aid noble causes, than was the Monarchy of the Bourbons. Napoleon the Third, on sending the expeditionary force to Syria, said—

> "Wherever the flag of France is advanced, the nations see that a great cause precedes, and a great people follow it!"

And surely a still glorious flag never shed its halo round a cause more sacred than that of a people struggling to be free. The form of government, whether it be despotic, or aristocratic, or democratic, or mixed, which may prevail in any country, is a matter of secondary consideration. The one thing needful is that she be independent. Wanting that, she is nothing — a mere geographical definition, covering a certain space on the world's chart, but unknown and unreckoned in the sphere of humanity. Russia to many is a name of terror. I am no Russo-phile. Where I a Circassian, I would have been a follower of Schamyl; were I a Pole, I would have been found in the ranks of the scythe-armed men; but when Russia is in the right, as by the admission of Europe she now is, she is entitled to the sympathy, the respect, and the support of Europe. In championing the cause of the oppressed in the Turkish Provinces, she may be actuated to some extent by selfish motives—what nation is not so actuated at times?—but to those who attribute to her sinister motives I would say, look to Berlin, where perchance you may find the commodity, and be spared the journey to St. Petersburg. The same motives, no doubt, actuate Russia now as in 1829, but we saw her pause then in her career of victory to give freedom to a nation. The same influences which induced her then to dictate peace at Adrianople would be equally efficacious, I should think, now to induce her to pause again in a career of conquest, and dictate another peace, wider still in its scope, and destined, it may reasonably be presumed, to prove more beneficent still in its operation. I take for granted that the Treaty of 1856 can never more be appealed to—that it is no longer law in Europe. Every Power, the Porte included, has recovered its freedom of action—so, too, have the nationalities, the Slavs and the Greeks, and they now, not the Powers, are masters of the situation. If they choose to accept the reforms of Midhat Pasha, and furl the flag of independence, no Power will be called on to intervene—it is their affair. If, however, as is most probable, rejecting the reforms and the constitutions, they resolve to renew the strife and fight on, not for the irreducible minimum, not for a foreign Committee, so truly described by the noble Earl, the Secretary of State for Foreign Affairs, as the worst Government any country could have, but for political autonomy pure and simple, then intervention becomes a necessity, imposed by duty, and sanctioned by right. Why should the work of pacification, for such in its true sense it is, be cast upon Russia alone? Why should the destinies of an important portion of Europe, and of millions of people, be left to the disposal of three Emperors? What Power is there that, having commissioned a Plenipotentiary to Constantinople, and having expended a Black Sea of philanthropic ink in denunciation of Bulgarian atrocities, so blinded by egotism as to imagine, for a moment, it can fold its arms and remain benevolently neutral, while another Power sheds her blood for objects about which it could only scribble and declaim? This country, though, offered a powerful alliance, stood benevolently neutral while the last struggle of the Poles was being terribly suppressed; benevolently neutral while the Duchies were wrested from Denmark; benevolently neutral while Alsace-Lorraine was torn from France—and, I trust I may be pardoned the expression of a hope, that, should a similar ignominious policy now prevail, she may be debarred from appearing even as a gleaner on the harvest-field of the Danube. What though the triumph of the Slav liberty on the Balkans should open to Russian vessels of war the Straits of the Bosphorus and the

Dardanelles? On what ground of justice, or even expediency, can the existing prohibition be defended? The argument of the right hon. Gentleman, the Member for Birmingham, is irrefutable. These Straits are not to be compared to rivers which have their sources in Turkish territory—they are natural highways, connecting sea with sea—but the prohibition operates as a blockade of a wide sea, fed by great rivers having their sources in Russian territory, and on the shores of which that Power predominates. The Treaty imposed by Cimon of Athens on Artaxerxes contained, it is said, a similar prohibition—that no Persian vessel of war should navigate between the Black Sea and the coast of Pamphylia; but that was before the era of free trade, and at the close of a series of wars which shed imperishable lustre on the Grecian arms. Russia has never sustained any such reverses at the hands of any Power, or of any combination of Powers. I never could discover what danger the West has to apprehend from Russia. Her destiny impels her eastward, and there her mission must necessarily be one of civilization. But this question is not, and, unless through sheer mismanagement, never can become, one of territorial aggrandizement. The principles which control it, co-extensive with the human race, and immortal as the soul, lift it high above the sphere, and will preserve it from the contamination, of vulgar ambition. We hear much of Turkish armaments, the concentration of troops in Bulgaria, and a powerful fleet under the command of an English admiral in the Sea of Marmora; but, if a genuine sentiment of nationality animate the hearts of Slavs and Greeks, if the passion for independence, like the old Greek fire, has kept on burning beneath the waters of persecution, armaments and fleets will perish, as perished the hosts of Sennacherib before the hand of the destroying angel, and the down-trodden of centuries shall resume their place of honour yet in Israel.

MR. CHAPLIN said, he did not rise to answer the eloquent speech of the hon. Gentleman who had just sat down, or to enter at length on the Eastern Question, believing that other and more convenient opportunities would be afforded for its full discussion. He agreed in every word which had fallen from his right hon. Friend the Secretary of State for War. The position assigned to Turkey by the right hon. Gentleman (Mr. Gladstone) with regard to the Treaties appeared to afford a remarkable illustration of the old saying—"Heads, I win; tails, you loose." His object in rising was to make some inquiries, in order, if possible, to make that line of demarcation more distinct which the hon. Member had just referred to, and to ask one or two questions of the right hon. Member for Greenwich, from whom the House was entitled to demand some explanation. He trusted the right hon. Gentleman opposite would be able to give a distinct and definite answer. He could not complain of this course. He had taken an exceedingly active part in the discussion which had arisen during the Recess in regard to this question—as many people thought an exceedingly mischievous part, and not by any means calculated to assist, but to retard any wise and happy solution of this momentous question. He need not remind the House of the course which the right hon. Gentleman had thought proper to take. They could not forget the deliberate and persistent attempts which had been made throughout the Recess—not by the Liberal Party or the noble Lord (the Marquess of Hartington) opposite—to their credit be it spoken—but by a certain portion and clique of that Party, headed by the right hon. Gentleman, to regulate the foreign policy of this country by pamphlets, by speeches at public meetings, and by a so-called national Conference, instead of leaving it in the hands of the Executive Government, who alone could possibly possess the requisite information which enabled them to deal with the question. That was a mode of proceeding obviously open to very great objection. It must be attended with great inconvenience to all parties concerned. He was not prepared to say that the policy of every Government under all circumstances, and at any time, must be accepted as a matter of course, without cavil or dispute by its opponents or by the country; but he did say this, that such a course as that pursued by the right hon. Gentleman must entail on those who adopted it the most immense responsibility. It was a course which nothing could justify, but circumstances of the most supreme necessity. [*Cheers and counter cheers.* Whether that justification or that necessity existed in the case—as he gathered from the cheers he heard—was a matter on which there would be very considerable difference of opinion; but it was clear that the right hon. Gentleman accepted the position and all the responsibility which it entailed. [Mr. GLADSTONE: Hear, hear!] More than that, he had told them distinctly, while admitting the full responsibility and the immense weight of censure he would justly incur in the absence of full justification for the course he had taken—he had told them in what he considered his justification was to be found. He said at the Conference held in St. James's Hall on the 9th of December—and that was his excuse for attending the meeting and taking part in the agitation—he said—

> "We believe that the power, the influence, and the reputation of England for a long period of time with regard to this enormous question have been used for a purpose and to an effect directly at variance with the convictions of the people of this country."

[Mr. GLADSTONE: Hear, hear!] He was quoting the words of the right hon. Gentleman, and that was the sum and substance of the indictment against Her Majesty's Government contained in the whole of his speeches, and a graver or a more serious charge to bring against any existing Administration it would not be easy to imagine. Now, if the right hon. Gentleman was correct in his views as to the policy of Her Majesty's Government at the time, or if he was infallible in his judgment of the feelings of the people of England, then there would be much to be said for the course which he had pursued. But they knew that the right hon. Gentleman, far from being infallible, was often extremely mistaken as to his views of the people. From the last General Election and from various other sources he could show, if it were needful to do so, that the right hon. Gentleman had been mistaken before, as assuredly he had been mistaken in this case. Nor was that much to be wondered at, if they considered the sources from which the right hon. Gentleman sought his information. Where did the right hon. Gentleman look for it in this case in particular? Not in that House from the legitimate and direct Representatives of the public opinion. No: it had been from very different sources, which he (Mr. Chaplin) would tell to the House. It was from public meetings, for the most part arranged and prepared for his reception by local Party organizations; from the cheers of the populace brought together by Liberal clubs at various railway stations, where the right hon. Gentleman, of course, chanced to be passing; and last, not least, from the so-called "National Conference" in St. James's Hall, which, as far as he could discover, was little else than a packed meeting of the right hon. Gentleman's supporters, to which each of them was admitted by ticket. He would say, without scruple or hesitation, from his place in that House, that, so far as its national character and national name were concerned, a more barefaced, audacious sham and imposture could not be imagined. Those were the sources to which the right hon. Gentleman looked for his information. Now, there were many on that side who were and had been warm and consistent supporters of the policy of Her Majesty's Government, and who therefore, being probably regarded by the right hon. Gentleman as accomplices in their misconduct, were placed in this totally false and unfair position—that while they had been the victims so long of all the charges and accusations of the right hon. Gentleman's torrents of eloquence, there seemed to be no disposition on his part, now that he was brought face to face at last with those whom he had so long greatly maligned, to test the opinion of Parliament as between him and them, or give them the benefit of an appeal to that tribunal from which alone we could hope to learn the true, real, and deliberate voice of the people of England. The speeches and writings with which the right hon. Gentleman had flooded the country bore this construction, that the misconduct of the supporters of the Government lay chiefly in this—that while the right hon. Gentleman would be prepared to go to war for the coercion of Turkey, they were not prepared to adopt so extreme and violent a course. In these circumstances he wished to ask the right hon. Gentleman these questions—Did he intend by a definite Motion to test the truth and the justice of his accusations, and to take the opinion of Parliament on the misconduct with which he charged Her Majesty's Government? Did the right hon. Gentleman mean to meet or to evade that obligation? One of two things, the right hon. Gentleman must do. He must make good or withdraw his assertions, that was clearly a duty from which he could not escape; for he (Mr. Chaplin) held, without a shadow of doubt, that when a Member of Parliament in a position so eminent as the Member for Greenwich traversed the country from north to south, and from east to west, levelling charges and accusations broadcast against his opponents, especially at times when he knew they could not be there to repel them. There was no other course which it was open to a man of honour to follow. ["Order."]

COLONEL MURE: I rise to Order. A personal attack of this kind is most offensive.

MR. GLADSTONE: I wish to put to you, Sir, whether it is competent for the hon. Member to instruct me as to the only course which it is open for me as a man of honour to follow?

MR. SPEAKER: The hon. Gentleman in making use of that expression has exceeded the limits of Parliamentary discussion.

MR. CHAPLIN said, he withdrew, of course, any expression he might have used which was not in accordance with Parliamentary custom, and begged to offer an apology to the right hon. Gentleman. Then he would say there was no other course which, in his humble opinion, it was the right hon. Gentleman's duty to follow. Secondly, he wished to ask the right hon. Gentleman, when he appealed in the passionate terms which he did in his last speech at Taunton to the people of England, to grapple with the great duty which they had to perform, and to emulate by their own deeds the glorious deeds of their forefathers, to tell them what was the great duty which he meant them to undertake, and the means by which he considered it could be performed? The Conference had just then come to an end, and he (Mr. Chaplin) understood it to mean that they should coerce Turkey in order to make her accept those proposals. Turkey, it was perfectly clear, would not now be coerced without war. Whether Turkey, at one time, might not have listened to England if it had not been for the suspicions of England engendered by the right hon. Gentleman and his unsparing onslaughts upon her, was a matter which was open to room for some doubt. These were the questions which he wished to ask the right hon. Gentleman, and to which he was bound to give a definite and distinct answer. The right hon. Gentleman in one of his speeches claimed the position of an independent Member of Parliament. He (Mr. Chaplin) also claimed the same position, and, speaking from his place on that side as an independent Member, he would tell the right hon. Gentleman he could not now shelter himself under that plea. If there was one thing made clearer than another during the Recess it was this—that the Leadership of the Opposition in the country had been entirely dissociated from the Leadership of the Opposition in that House; and having accepted that position in the country the right hon. Gentleman could not escape the obligations or the legitimate consequences which it involved in that House. Upon every ground of decency and justice it was his duty to test the opinion of Parliament as to the conduct of the Government. It was true by the Forms of the House the right hon. Gentleman could not meet that challenge to-night; but if the House wished it, he believed it was perfectly competent for him to provide the right hon. Gentleman with that opportunity by concluding with a Motion. But first let him say that above and before any mere question of the position in which hon. Gentlemen on that side of the House were placed by his very unusual course, there was one point yet to consider which the right hon. Gentleman would himself admit was of surpassing importance. The peace of the Continent at this very moment was wavering in the balance. Peace or war at this moment depended on the action of Russia, and the action of Russia he firmly believed, depended and waited on the public opinion of England. The right hon. Gentleman had been the first to rouse that opinion elsewhere. He challenged the right hon. Gentleman here in his place in the House to invite the expression of the opinion of the Imperial Parliament—the only source from which they could ever measure the depth and the strength of the national voice. God forbid that that voice should be for war; if it were, the immediate action of Russia was certain, and he feared to think where such a policy might end. But if on the spot Parliament distinctly rejected such a bad and monstrous proposal, he would hope against hope that peace might even yet be secured. Then England would have much cause to rejoice that her councils were no longer swayed by one whose voice during the Recess had done so much to impair that respect and esteem which they on all sides felt for him in that House, and to shake to its foundation the great and splendid reputation of a man whom England had long learnt to regard, and as he and all admitted him to be, among the greatest of her sons. He begged to move the Adjournment of the Debate.

MR. GLADSTONE: Sir, I rise to second the Motion for the Adjournment. For the first time in the course of a public life, approaching nearly half a century, I have been accused by the hon. Gentleman who has just spoken of a disinclination to meet my opponents in fair fight. "He cannot," the hon. Gentleman modestly says of me, "meet us face to face." He further tells us he learns the opinion of the country from public meetings. Why, I ask, did not the hon. Gentleman come to those public meetings? He says that I have been east and west, that I have been north and south. If that be true, there has been plenty of opportunity for him and his friends to attend those meetings. Then the hon. Gentleman says that the Conference in St. James's Hall was a packed meeting; and it was a packed meeting, in the sense in which I believe every meeting held by a Conservative Club and a Conservative Association is a packed meeting. [LORD GEORGE HAMILTON: National, national!] I will deal with the noble Lord next, if he likes to make another attack without making these interlocutory speeches. Meanwhile, let me say that if the hon. Gentleman, to whose speech I was adverting, had had a hundredth part of the experience I have had of the feelings of the people of this country, so far from charging me to-night with having gone east and west and north and south for the purpose of inciting public meetings, he would have known what every man acquainted with me knows—he would have known what every person whom I have visited, Tory as well as Liberal, is perfectly acquainted with — that I have on every occasion shrunk from meeting the public. ["Oh!"] Yes, Sir, I repeat it, and I will supply the hon. Gentleman, if he likes, with the names of those Tory gentlemen to whom he may appeal in confirmation of my statement. But such is the depth and strength of the sentiment that has taken possession of the mind and heart of England in reference to this question, that I, in my poor and feeble person, simply because I have been associated with that sentiment, have felt it almost impossible to avoid the manifestation of this almost unexampled national and popular feeling. As to the St. James's Hall Conference, not only in point of form, but of substance, it was entitled to the name of a National Conference; because it aimed at expressing — and believed it was expressing—the sentiments of the nation—[LORD GEORGE HAMILTON: That is a mistake.]—just as in former times—I think about the time when the noble Lord was born—there was what was called a National Anti-Corn Law League, which was derided on the same ground as the noble Lord, with his mature experience, derides the St. James's Hall Conference.

LORD GEORGE HAMILTON: Mr. Speaker, I rise to a point of Order. The right hon. Gentleman says I derided the national sentiment. I beg to say that I did nothing of the sort.

MR. GLADSTONE: The noble Lord has risen to Order, but I think he is very disorderly. Nor did I say that he derided the national sentiment, but that he derided the assumption of the title of "National" by the Conference at St. James's Hall; and I said that whatever the propriety of that title might be in point of form, it reminded me of another title assumed by another private association—the National Anti-Corn Law League—which was equally derided about the time of the birth of the noble Lord. But it proved its nationality, first by overcoming the obstinate resistance of the Party to which the noble Lord belongs. That Party existed—a fact which he does not seem to know—before he was born. If he thinks it came into existence with himself, I assure him it is a mistake. And that League proved its nationality, secondly, by this—that it came to express the universal sentiment of the nation, so that now no man ventures to lift up his voice and say, "I am a vindicator and an apologist of the Corn Laws." This is an answer to the noble Lord who interrupted me. The hon. Gentleman has put to me some questions, under circumstances which, I suppose, he thought most convenient, upon a subject relating to the rather dry matter of the interpretation of Treaties, on which I endeavoured to confine myself in the strictest manner to the terms of my Notice. The hon. Gentleman, as he said, did not propose to follow the eloquent speech of the hon. Member who preceded him—a task which he might have found rather difficult, but he produced instead his prepared interrogatories, and the well-arranged sentences by which they were wound into a series. That is a specimen, forsooth, of the courage with which the "Knight of the Shire" instructs me, after my long service in this House, as to my duty in public life, and reproaches me with unwillingness to meet a champion equal to himself. He says, Sir, that I have been an inflammatory agitator, and that as soon as I have got into this House I have shown no disposition to chant in the same key. But before these debates are over—before this question is settled—the hon. Gentleman will know more about my opinions than he knows at present, or is likely to know to-night. I am not about to reveal now to the hon. Gentleman even the insignificant secrets of a mind so inferior to his own. I am not so young as to think that his obliging inquiries supply me with the opportunity most advantageous to the public interest for laying out the plan of a campaign. By the time the hon. Member is as old as I am, if he comes in his turn to be accused of cowardice by a man of the generation next to himself, he probably may find it convenient to refer to the reply I am now making, and to make it a model, or, at all events, to take from it hints and suggestions with which to dispose of the antagonist that may then rise against him. The hon. Gentleman says there is a tremendous feeling abroad in the country—tremendous it is, not in its violence, but in its depth of force, and, thank God, that it is abroad; and the hon. Gentleman says it was I who was the first to arouse it by pamphlets and by speeches. It is unquestionable that I published a pamphlet on the 5th or 6th of September of last year, and it is equally unquestionable that I made a speech to my constituents on, I think, the 9th of the same month; and it seems from the speech of the hon. Gentleman that owing to this pamphlet and speech the policy of Her Majesty's Government has been terribly disturbed. The whole country, we are told, has been disturbed from end to end; and peace has been prevented from settling down upon Europe. I really feel such a temptation to accept the gigantic and exaggerated compliments of the hon. Gentleman; the incense which he offers upon my altar, so to call it, is so fragrant and rises in such a steam to Heaven, that I am almost sorry to be called upon to enter into conflict with the hon. Gentleman. But, Sir, I cannot, notwithstanding the force of this temptation, forget my allegiance to truth; and if I am told that by the pamphlet I wrote and the speech I delivered I have done all this mischief and agitated Europe and the world, let me ask why the hon. Gentleman did not, by writing another pamphlet and delivering another speech, put the whole thing right? Am I the only man to whom it is permitted by law to write a pamphlet, or to whom is given the permission, according to Constitutional practice, to address his constituents? It was the public arena of discussion into which I descended, most reluctantly and very late, but with the deep and full conviction—with regard to which the hon. Gentleman has not in the least overstated my case—that the responsibility was great, that it was impossible, in my opinion, to justify questioning the course of the Government on a matter of most important national policy in the Department of Foreign Affairs, unless upon a plea as broad as that which I advanced—namely, that in my deep and firm conviction they had unintentionally misrepresented the sentiment of the country, and were using its power and influence for purposes which were in direct antagonism to the best and deepest wishes of its heart. That is the justification on which I stood and stand. But the hon. Gentleman says I did it, and I heard another hon. Gentleman say to-night that I did it. Really, to a certain extent, it administers an agreeable irritation to whatever vanity one may possess to hear such immense results attributed to so trifling forces. But if anything was done by me, it was done in the same way that a man applies a match to an enormous mass of fuel which has been already prepared; and the indication of a point towards which the public sentiment should be directed was all that could possibly be required. My hon. Friend the Member for the Isle of Wight (Mr. B. Cochrane) in the early part of his speech said that I had done all this, but a little later he seemed to have forgot what he had said, and ascribed the whole of what he had previously attributed to me to Lord Shaftesbury, in the course of a speech which he delivered in St. James's Hall. I therefore feel the greatest satisfaction in making over to Lord Shaftesbury the palm and the prize. I rejoice that he was my leader, and that I was his follower in a cause so noble and so good. But we have some other evidence before us. This dreadful pamphlet of mine—which, it seems, nobody thought fit to answer, and by answering to paralyze—was published on the 5th or 6th of September. Aye, but what was said on the 22nd of August? The literature of the hon. Member, with all the time he has taken, and all the careful preparation of his speech in every sentence, has not been able to get deep into the confidence of the massive Blue Books. On that day Lord Derby telegraphed, in effect, to Sir Henry Elliot that—

> "Any sympathy which was previously felt in England towards Turkey has been completely destroyed by the recent lamentable occurrences in Bulgaria. The accounts of outrages and excesses committed by the Turkish troops"—notably Bashi-Bazouks—"upon an unhappy, and for the most part unresisting population, has roused an universal feeling of indignation in all classes of English society, and to such a pitch has this risen that in the extreme case of Russia declaring war against Turkey, Her Majesty's Government would find it practically impossible to interfere in defence of the Ottoman Empire."

This was written a fortnight before my poor pamphlet was published and 10 days before it was even announced. Therefore, it is that, flattered as I am by the attack of the hon. Gentleman, and tempted as I am to appropriate what I regard, coming from him, as praises, I must, in deference to truth, point out that I was simply an humble collaborateur with the English people in a work which they had taken into their own hands. In a matter of humanity and justice they required no instructor. It was the nation that led the classes and the leaders, and not the classes and leaders who led the nation. Let me ask what are the questions of the hon. Gentleman? He asks whether I will test the opinion of this House? I have a great respect for the opinion of this House; but does he want me to test the opinion of a traditional House of Commons, or of the particular one in which he happens to sit? I have had the felicity of sitting with the hon. Gentleman in other Houses of Commons; but I do not recollect that he had in those earlier days the same respect he now professes for the opinion of the House, or that he regarded them as the infallible indicators of public opinion, that he seems to think this House must unquestionably be. I will tell the hon. Gentleman something in answer to his questions, and it is that I will tell him nothing at all. I will take my own counsel, and beg to inform him that he should have no reason whatever to complain when the accounts come to be settled and cast up at the end of the whole matter of any reticence or suppressions on my part. He asks, further, what it was that I recommended to the people of Taunton? On that question I will tell him a little more than I did on the first. As a rule, the hon. Gentleman keeps the best of his arguments and of his eloquence for this House, but I have been reading him in a local newspaper, and have been able by that means only to follow him into his own county; for though I have travelled east, west, north, and south, I have not been so happy as in my own person to reach that part of England. But I see he adapted himself to what he considers apparently the meridian of a local audience. He told them I had appeared at Taunton, and that I found by accident that I had an hour an a-half to dispose of, and that, having an hour and a-half to dispose of, I went out upon the stage and addressed such of the people of Taunton as happened to be present, upon the merits of the Eastern Question and most important topics of International Law. The hon. Gentleman has fallen into the most ludicrous of mistakes. He is not aware that there are in this country most useful publications under the denomination of railway time-tables, and that if a man will look into these railway time-tables he can see for several days, or for a whole month, beforehand, when his trains will arrive and when they will depart. That is a very useful piece of information, and I hope he will not forget it. By the diligent use of these railway time-tables I was enabled several days beforehand to calculate my movements through Taunton with the same precision with which our astronomers calculates the coming comet or eclipse. Therefore, my arrangements, instead of having the romantic air of novelty with which the hon. Member sought to invest them, not in this House, but in another meridian, were really stereotyped affairs, settled beforehand in the dullest and most prosaic manner, though they seem to have effectually puzzled the mind of the hon. Member. If he wants to know what I recommended to the people of Taunton, I have a mind to tell him that if he will ask the people of Taunton, they will tell him that they understood me very well. I understand that my hon. Friends who represent Taunton have found that I was perfectly well understood. But, in brief, what I told the people of Taunton was this—that, in my opinion, it was absolutely necessary for them to watch the policy of the Government; that in the acts, in the language, and in the tendency of Lord Salisbury I had great confidence; but that I did not know whether the Government has one policy or two policies. This I know—that all the newspapers that are in their confidence every now and then take the opportunity of letting fly at Lord Salisbury. This I know, that when I read the Blue Books—over which I suspect the hon. Gentleman has not spent half as many minutes as I have hours—I find in one page the arguments of Lord Salisbury for a proposition, and in another page those of Sir Henry Elliot against it. This is a state of things which impressed me with the belief that it was time yet and time still for the people of Taunton to be upon their guard; and, therefore, as far as my powers of exposition did go, I did endeavour to lay before them that the people of England had still a very great work to do. We have, I think, the most solemn and the greatest question to determine that has come before Parliament in my time. It is only under very rare circumstances that such a question—the question of the East—can be fully raised, fully developed, and exhibited, and fully brought home to the minds of men with that force, with that command, with that absorbing power which it ought to exercise over them. In the original entrance of the Turks into Europe, it may be said to have been a turning point in human history. To a great extent it continues to be the cardinal question, the question which casts into the shade every other question, and the question which is now brought before the mind of the country far more fully than at any period of our history, far more fully than even at the time of the Crimean War, when we were pouring forth our blood and treasure in what we thought to be the cause of justice and right. And I endeavoured to impress upon the minds of that audience, not a blind prejudice against this man or that, but a great watchfulness, and the duty of great activity. It is the duty of every man to feel that he is bound for himself, according to his opportunities, to examine what belongs to this question, with regard to which it can never be forgotten that we are those who set up the power of Turkey in 1854; that we are those who gave her the strength which has been exhibited in the Bulgarian massacres; that we are those who made the Treaty arrangements that have secured her for 20 years from almost a single hour of uneasiness brought about by foreign intervention; and that, therefore, nothing can be greater and nothing deeper than our responsibility in the matter. It is incumbent upon us, one and all, that we do not allow any consideration, either of Party or personal convenience, to prevent us from endeavouring to the best of our ability to discharge this great duty that now, at length, in the East, in the midst of this great opportunity, when all Europe has been called to collective action, and when something like European concert has been established—when we learn the deep human interests that are involved in every stage of the question, that, as far as England at least, is concerned, every Englishman should strive to the utmost of his might that justice shall be done.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Chaplin.*)

THE CHANCELLOR OF THE EXCHEQUER: I cannot wonder, Mr. Speaker, at the cheers with which the eloquent language of the right hon. Gentleman has been greeted, and I cannot but echo the concluding words of his speech; but I do venture to come before the House and to remind them what our position is. Nothing can be graver than the position which we occupy. In the eyes of this country and in the eyes of Europe this House occupies a position which may make every one of us pause and think well over every word we say and every step we take. In the midst of the anxious expectation of the people of England, and perhaps of many more people, as to what course was likely to be taken by the House of Commons in particular upon this question which is now occupying our attention—at this critical moment of negotiation, when the question of peace and war is hanging in the balance, and the voice of England may decide the destinies of nations for years and years to come—my right hon. Friend chooses to invite the House of Commons to hear him put a solemn question to the Government. He takes steps for obtaining the best possible means of putting that question, and of making the statement with which he proposed to accompany it. Attention is excited, the House is full, every one is awaiting what he has to say. My right hon. Friend comes forward and puts in language which he himself has described, and truly described, as language of a most moderate and temperate kind, the questions which he wishes to put. He puts them accompanied by explanations which are intended partly, no doubt, to explain the question, but much more, as it seems to me, intended to offer apologies for the conduct of his own previous Colleagues and himself upon critical occasions. He comes forward to tell us how he and those with whom he has been associated have formerly acted on the matter to which they now draw so much attention. He comes forward to tell us what they meant when they made the Treaty of 1856, and still more what they meant when they renewed it in 1871. He called attention to a particular despatch of my noble Friend the Secretary of State, and he asks us questions with regard to the meaning of certain expressions in that despatch. He was answered, and he was answered I think satisfactorily. He was answered, and I think answered conclusively. He was answered frankly and fully by my right hon. Friend the Secretary of State for War What was the object which my right hon. Friend had in putting those questions? I suppose it was not merely for the purpose of casting some taunt, if he thought he could do so, against Her Majesty's Government. I suppose it was not for the mere purpose of justifying himself and his Colleagues with regard to past transactions. No, Sir, I attribute to him a higher motive than that. I believe he wished to ascertain fully and clearly what the views of Her Majesty's Government were with regard to some of the most important questions which we have to consider at the present day, in order that he might elicit at some proper opportunity the sense of Parliament upon the conduct of Her Majesty's Government and upon the views which they entertain upon this subject. There has been an interesting, though a rather irregular, debate. A large number of topics have been introduced which went beyond the scope of my right hon. Friend's question, but which it is not surprising that Gentlemen who had come to the House expecting the whole Eastern Question raised should be anxious to give utterance to. But as matters went on, towards the end of the evening a natural anxiety began to manifest itself on this side of the House to know what all this meant. A natural impatience was felt at the moment by my hon. Friend the Member for Mid-Lincolnshire (Mr. Chaplin) to know what is the course which my right hon. Friend the Member for Greenwich, and those Members who agree with him on this subject, intend to ask Parliament to adopt; or can it indeed be true that they do not intend to ask Parliament to take any course at all? As we get on in the course of the evening we become excited by the eloquent language that we hear on different sides of the House, and unhappily we may get into a frame of mind in which expressions are sometimes used which had better not be used. Expressions are used in the heat of debate which those who use them are afterwards prepared to withdraw when they are found to give offence and pain. I think that whatever may be said upon that point the House is anxious, and properly anxious, to know whether it is or is not to be consulted on this matter. My right hon. Friend, in answer to my hon. Friend the Member for

Mid-Lincolnshire, referred to the precedent of the National Anti-Corn Law League with regard to the conduct of this matter. Every one knows what the National Anti-Corn Law League was and is, that although it operated at private meetings and by various other ways in its endeavours to arouse and instruct the popular mind upon the question of free trade, yet it took very good care to come before the House of Commons small as the minority at first was in favour of free trade. It did not keep its arguments for free trade halls or public meetings. Members of that Association came forward like men and like statesmen, and argued the question in the House of Commons, and by degrees and by force of arguments in and out of this House. Those results of which we are cognizant were produced. I want to know whether for those who have taken the leading part which some Gentlemen opposite have taken in the discussions on this question in the country during the autumn there is any excuse for not coming forward to propose a censure of the conduct of the Government on the Eastern Question. [Mr. GLADSTONE: There is plenty of time yet.] We do not want to press you—choose as early a day as may be convenient; but if you desire time it appears to me to be rather a questionable policy to employ the present time in starting a flight of questions on this or on the other point, with no apparent object but either to insinuate something which may be odious, or for the purpose of laying a trap to catch a different meaning in the answer to something in the Blue Books. That is not the way to deal with subjects of this magnitude. You are bound, if you respect your own consistency—if you have a regard to credit and honour and the interests of the nation—you are bound, I say, to do one of two things—either to challenge the conduct of the Government when they have an opportunity of answering the charges you bring against them; or you may say—"We made our charges in ignorance of the policy you pursued; we made them under a false impression; and we have therefore no intention to challenge your conduct." Will you say that? One or other of those things you ought to do. My hon. Friend the Member for Mid-Lincolnshire has given expression to that opinion in language more energetic, perhaps, than polite, but it does not diminish the truth and force of the opinion which he has given. My right hon. Friend opposite implies that he has doubts about the advantage of bringing this question before the House, which he does not think will give him a majority, and he finds that for some reason or other that would be a waste of his powers. But surely this House has as much right to be taken into the confidence of the right hon. Gentleman as have the people of Taunton. There are, says the right hon. Gentleman, time-tables which tell the time at which trains arrive at Taunton station. We also in this House have a time-table, in the shape of our Notice Papers, and we shall be only too glad should my right hon. Friend avail himself of one of the opportunities which that time-table will afford him if he will take us into his confidence and tell us in what respect he thinks the conduct of the Government needs watching. He does himself injustice if he would have us believe that with his quick perception he has not mastered his case and made himself sufficiently acquainted with the Blue Books to be able to show us the general rule which he thinks it is his duty to follow. He says that the Blue Books indicates a difference of opinion between one person and another person who is responsible for these negotiations, and he told us, as he told the people of Taunton, that he desires that the conduct of Her Majesty's Government shall be scrutinized and jealously scrutinized. Sir, we do not for a moment object to the most jealous scrutiny of our conduct. We demand that jealous scrutiny. We demand it not only as a matter of justice to ourselves, but, what is of much more importance, in the interest of the country, and even in the interest of Europe. It is of the highest consequence that this country should speak with no doubtful voice. We have heard of two Russias—we have heard of two Austrias—but we do not want two Englands; and I do not believe there are two Englands. I do not say we may not have some persons who take peculiar views and who are disposed to lay greater stress on one set of considerations than on another; but I believe, if we could bring this matter to a fair issue—if we could get out of the region of inuendoes and taunts of every kind; if, instead of mere critical and negative arguments, objecting to this thing, objecting to that, and questioning the other, you would bring forward a statement of the policy which you think we ought to pursue; if you would give us your reasons for preferring this policy to that which you believe we are pursuing, and give us an opportunity of arguing this matter out, it would be most satisfactory to us and I believe most beneficial to the national interests. I do regret, in one sense, that this evening, which began like a lamb, should be going out in a much more tempestuous manner. But it could hardly be expected that some warmth would not be elicited in the course of our discussions. I think it would now be too late and too much at variance with the feeling and temper of the House to enter into anything like an elaborate discussion or criticism of the arguments which have been brought forward to-night, especially as we have no issue before us. I would not say that a *reconnaissance en force* such as this may not have in some respects its advantages if it be meant as a prelude to a more serious and regular engagement. If hon. Gentlemen have been endeavouring, as some suppose, by putting these questions and raising this discussion to see—as the common phrase is—"how the cat jumps" they will have observed what is the spirit which animates Members on both sides and have had something instructive. But I hope and trust we shall not allow this discussion to degenerate into a mere squabble of a personal or Party character; nor, on the other hand, allow it to close without this practical result—that we shall understand from those who are in the responsible position of Her Majesty's Opposition, and of my right hon. Friend who has taken so leading a part, whether they have or have not any serious intention of bringing this matter under the notice of Parliament. If they agree to do so, I can assure them we shall give them every assistance we possibly can in arriving at a conclusion.

THE MARQUESS OF HARTINGTON: I rise, Sir, only to say a very few words with regard to the Question which is actually before the House, as to which it is somewhat strange that the right hon. Gentleman the Leader of this House, who ought, one would suppose, to have some knowledge of its Rules and Orders, should have spoken a considerable time without saying one single word. The Question before the House is the adjournment of this debate, and I am rather inclined to think, after the somewhat stormy conclusion of the debate this evening, that it would be desirable that the Motion of the hon. Member for Mid-Lincolnshire should be agreed to, and that the discussion should be resumed when a more calm consideration can be given to the important questions which my right hon. Friend the Member for Greenwich has raised. The right hon. Gentleman the Chancellor of the Exchequer, after a very long preamble, put to hon. Gentlemen who sit on this side of the House the question—"What does all this tend to?" And he seemed to find it to be impossible to conceive that the questions and inquiries which have been addressed to the Government by my right hon. Friend the Member for Greenwich could have any object unless they were intended as a foundation for future proceedings in this House. The answer to the right hon. Gentleman is very plain and simple. All this tends to what it purports to tend to, and to nothing else. My right hon. Friend has called attention to a despatch written by Lord Derby in September, which I think the House will admit contained some very grave statements and gave cause for grave reflection. Lord Derby said that a state of things might arise at any moment which would place this country in an inconvenient and perhaps a humiliating position. What we want to know is, has that state of things continued since and does it exist now? because the state of things upon which Lord Derby formed that opinion has existed, as far as we know, from that day to this. If, in the opinion of Her Majesty's Government, now, as then, our Treaty engagements bind us to support Turkey by force of arms, and if now, as then, the feeling of the country makes it impossible for the Government to act up to our Treaty engagements, why then we have been since that date, and we are still, standing now on the very verge of that position which has been described by Lord Derby as an inconvenient and a humiliating position. Will the right hon. Gentleman tell us that a question designed to obtain from Her Majesty's Government assurances, whether we have stood and whether we still stand upon the verge of a humiliating position, is a question which ought not to be put in this House except, forsooth, it is intended to lay foundation for a future Parliamentary attack? The right hon. Gentleman tells us charges have been made against Her Majesty's Government, and that we are bound to go further, and either to repeat and renew them or else to acknowledge that they were made under a false impression. I think it quite possible that Her Majesty's Government may yet have an opportunity of entering upon a full defence of their policy. But, at all events, I am not prepared to admit that those charges were made under a false impression of the policy of Her Majesty's Government. If we should refrain from challenging the policy of the Government now it is not because we admit that at a former time we were under a false impression as to the policy of Her Majesty's Government, but because the policy of Her Majesty's Government now is not the same as their policy was then. What did we know in August, September, October, and up to November of the policy of the Government except what we gathered from such speeches as were delivered by Members of the Government? What we say now is that the policy developed in the Blue Books, especially in the later ones, is not the policy—has no resemblance to the policy—which was developed in those speeches; and if we refrain, as we may or may not do, from challenging the policy of the Government, it is because they have listened to the voice of the people as expressed in those meetings on which so much contumely has been passed. If we do challenge the policy of the Government it is not because we think they are persevering in the Aylesbury and Guildhall policy, but because we still have some doubts remaining in our minds as to whether, if they have changed their policy, they have changed it frankly and fully. The right hon. Gentleman the Chancellor of the Exchequer said he thought the inquiries of my right hon. Friend (Mr. Gladstone) had been fully and satisfactorily answered by the Secretary of State for War. I must admit I did not think the right hon. Gentleman expressed himself with all the clearness and precision which we are accustomed to from him; and I think there are many Members on this side of the House—some to my own knowledge—who have some observations to offer on his speech. Looking to the turn which the debate has taken during the last hour, it is impossible it can be resumed to-night with that calmness which its importance demands. I think the right hon. Gentleman the Chancellor of the Exchequer will best consult the convenience of the House by allowing the debate to be adjourned.

Mr. GATHORNE HARDY pointed out that it would be inconvenient to adjourn the debate on the Motion for Supply, which was the only Motion before the House. A much better course, in his opinion, would be to put down the subject on the Paper if it was thought desirable to discuss it further, so that the House might know what they had to deal with.

Mr. SANDFORD said, he wanted to know whether there would be any objection to having this debate put down on nights of Supply?

Sir WILLIAM HARCOURT said, the question was, whether the House was to continue the discussion or not. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) had exploded a torpedo to-night. They had come to discuss solemnly and seriously the question of what were the Treaty obligations of England. It was really preposterous to say that the House of Commons could not discuss those Treaty obligations without coming to a vote. They were matters for calm and deliberate discussion. The Chancellor of the Exchequer said, very properly, that the speech of the Secretary of State for War was conclusive. It was very natural that one Cabinet Minister should think the speech of another Cabinet Minister conclusive; but it was part of the business of the Opposition not always to think the speech of a Cabinet Minister conclusive, and to endeavour to show by argument that it was not. The hon. Member for Mid-Lincolnshire had indulged in a very irregular proceeding that night, one which, after the dressing he had received, he was not likely to repeat. He hoped such an exhibition might never be presented in that House again, and that they would not suffer from a spectacle which would not present them in an agreeable aspect to the world, which was looking upon their conduct and expecting them to act with dignity. Whatever they did he hoped they would not resort to a practice of asking questions of people who they knew were not in a situation to answer them. There was a code of honour forbidding it which he hoped would be adhered to in future by hon. Gentlemen on the other side of the House. The question was, what were they to do with this debate? It did not seem to him to be a proper course on the part of the Government to say—"We have given our answer; that is conclusive, and we don't want any further debate. What you must do is to come here with a Resolution which we will vote down, and so get rid of the Eastern Question." ["No, no!"] That was what they wanted; but he ventured to say they could not vote down the Eastern Question. It was much too big, even for the Conservative majority, which for that purpose was absolutely in vain. None of their taunts and challenges would alter for a moment the course which the Opposition meant to take. They meant to submit this question to public discussion; and however much Gentlemen opposite might despise public meetings, the time was coming when, in consequence of an Act of Parliament known as the Septennial Act, they would not be able to treat those meetings with the contempt manifested by the hon. Member for Mid-Lincolnshire. There was a time when even county Members would have to face public meetings, and when the Opposition would be able to meet them. There were also odd occasions when vacancies arose when they would also have to face public meetings. He was pleased to see his hon. Friend the Member for Frome (Mr. Samuelson) again occupying his seat below the Gangway. There were occasions when public meetings could not be treated with the scorn which the Conservative Party, with its existing majority, had treated them. Let them not, therefore, expect that upon a question of that kind they would force them to bring down a cut-and-dried Resolution in order that they might bring up their majority and so dispose of the Eastern Question. That was not a practical or statesmanlike way of dealing with the question. A question of very great importance had been raised, and the House had had a very serious statement from the Secretary of State for War—namely, that, in his opinion, we had Treaty engagements, which if we were called on to fulfil and did not fulfil would place us in a humiliating position. He had a question to ask of the Government on that. How were they going to deal with that situation in respect of the English nation? It was nonsense to ask the Opposition how they were going to deal with it. That was for the Government, who had got the majority, to say. By the voice of a Cabinet Minister that evening—not a mere diplomatic despatch—they had been told that we were under Treaty obligations which if we were called upon by one or two foreign Powers to put in force we should be placed in a humiliating position. The people of England, in those meetings which were so much despised, had told the Government—"You shall not make war in defence of Turkey." When, before those meetings, had there been any declaration on the part of a Member of the Government that they would not go to war for Turkey? Why, the Government sent a Fleet to Besika Bay; and he well remembered hearing the hon. Member for West Cumberland (Mr. Percy Wyndham), who had taunted the Opposition that night with being a War Party, congratulate the Government on having sent the Fleet to Besika Bay. No; hon. Members on the Ministerial side were not a War Party now, because they could not fight the people they wanted to fight; they could not fight the people they would gladly have fought. But if nobody gave the Government an indication of what was the opinion of the country, they could hunt the game as they liked, and the hounds were then in full cry. What was the object of the Government in sending the Fleet to Besika Bay? It was said it had been sent there for the defence of the Christians; but was that the fact? Some very remarkable light was thrown upon that event in the Blue Books. Lord Salisbury found the Fleet at Besika Bay, and he, who at all events was in earnest in endeavouring to give effect to the policy which he had been sent to Constantinople to carry out, wrote a despatch in which he said—

> "Admiral Drummond finds it necessary to leave Besika. I have requested that he may take the Fleet to Athens instead of Salonica, in order to avoid misconstruction, and to support my assertion that no assistance is to be expected from Her Majesty's Government."

Lord Salisbury, therefore, took that step in order to convince the Turkish Government that our Government was in earnest at the time when it said it was not going to support Turkey; and he should like to know what meaning was attached by the Turks to the sending of the Fleet to Besika Bay? Upon that point the House was not left in doubt, because it was stated in a remarkable despatch from Sir Henry Elliot, dated the 29th of August, what was the real object for which the Fleet was sent to Besika Bay. It was said it was to protect the Christians, and simple people at home thought the crews of the Fleet were to go on shore and defend the Christians if they were attacked by the Turks. That, however, was not the policy of the Government. On the contrary, their object was to protect the Christians by giving the Turks the assurance that they would have English support, so that they might not be led through panic to massacre the Christians. Sir Henry Elliot said—

> "The knowledge that the British Squadron was at Besika Bay made them believe that they were not entirely deserted, and they did not give way to those feelings of desperation under which they would have laid waste the whole country."

That was the way in which the presence of the Fleet protected the Christians, and were not those who sat on his side of the House justified, he would ask, under the circumstances, in saying that the conduct of the English Government did require watching, and in protesting against it? The charge of the hon. Member for Mid-Lincolnshire against his right hon. Friend the Member for Greenwich that he had caused the agitation which had sprung up throughout England, and had embarrassed the policy of the Government, was therefore absurd. In a despatch dated the 30th of August, days before his right hon. Friend had either spoken or written a word on the subject, it was stated that—

> "The sympathy of the Russian people in the Servian cause had already reached such a height that if the war continued the Government would inevitably be obliged to declare openly in its favour, and there was not a Power in Europe to which the Porte could turn with the slightest hope of meeting with support. Public feeling in England had been so much outraged by all that had taken place in Bulgaria, that even if Russia declared war against Turkey, it would be impossible for Her Majesty's Government to interfere in her behalf. The Ministers expressed lively indignation at the manner in which they had been treated by Europe."

[Mr. CHAPLIN: I did not say that the agitation was caused by the right hon. Gentleman the Member for Greenwich.] But was there or was there not good reason why his right hon. Friend should be disposed to distrust the policy of the Government? In a despatch of Sir Henry Elliot's, dated September 3, he said, speaking of the Turks—

> "They are perfectly aware that they could not carry on a war with Russia with the slightest prospect of success, and yet they seem ready to risk the utter ruin it would bring upon them rather than give way to the representations of the united Cabinets of Europe."

Sir Henry Elliot went on to say—

> "As long as they could hope that, after following our advice, they had more chance of material support from us, if the necessity for it should arise, our words had more weight with them than can be expected when they believe that we should rather abandon them to be dealt with by their enemies, than interfere actively in their behalf."

After such a statement it was impossible to suppose that hon. Members would not express their opinion on the policy which the Government were then pursuing. It was quite out of the question that a solemn discussion on so serious a matter as this should be concluded by an explosion of temper such as had just occurred on the other side of the House. That was not the manner in which a Government or its supporters ought to deal with a question like this. Instead of encouraging these violent attacks and outbreaks of temper on the Benches behind him, he thought the right hon. Gentleman the Chancellor of the Exchequer would not fulfil his high office if he did not restrain them.

THE CHANCELLOR OF THE EXCHEQUER: With regard to the Busness of next week, there is Business on Monday and Thursday which it would be inconvenient to defer. The Universities Bill is down for Monday, and other Government Bills are to be proceeded with on Thursday. What I propose is this—that if the right hon. Gentleman opposite desires to renew this debate, it would be better to allow it to stand over with the view to its being taken on Friday next. [An hon. MEMBER: Monday.] I think it would be more convenient that it should be renewed on Friday.

THE MARQUESS OF HARTINGTON: It would be a great inconvenience to adjourn a debate of this importance for a whole week. It is, I think, rather early for the Government to appropriate a private Members' day. There can hardly be any urgency about the Order which tands on the Paper for Monday.

Mr. JOSEPH COWEN: May I suggest that the Resolution before the House is of a very indefinite character. Would it not be better to join issue with the Government on some distinct point?

Sir GEORGE CAMPBELL said, he was one of the private Members who had given way in order that the question might be brought before the House. He should unwillingly give way again unless it should be deliberately settled that the Eastern Question should be directly taken up and directly debated by the House. In his opinion, the Treaties of 1856 had come to an end. Lord Salisbury had himself torn up those Treaty engagements of the past, and taken a new departure in concert with the other Powers; and the question now was not as to the past but as to the future.

Lord ELCHO: It was with extreme pleasure I heard from the Secretary of State for War that the Government, as a Government, are not prepared to have recourse to force with reference to the internal administration of the Turkish Government. The speeches from the other side which I have heard and read seem to imply that they are prepared to throw this country into war for the question involved in the internal administration of Turkey. If they are in earnest the matter should be decided; if they do not mean what they say, the sooner there is an end to their speeches the better. This question should be decided one way or the other before the eyes of Europe, and in the interests of our common country some one on that side ought to come forward and test the opinions of the House of Commons upon it. If no one opposite will do that, some one should be found to do so.

Mr. SULLIVAN said, he hoped no hon. Gentleman on that side of the House would be led to adopt the course recommended by the noble Lord. Let the House be first made aware what the policy of the Government really was. For his own part, he could not tell from the speeches of Members of the Government what, or, rather, which, was the policy of Her Majesty's Government.

Earl PERCY desired to call the attention of hon. Members to the Question immediately before the House, which was the Question of adjourning the debate. To adjourn a debate on a question of this importance, on which no decision could be arrived at, would either simply impede the business of the country or deprive private Members of an opportunity of discussing their Motions. If the Opposition chose to raise an issue as to the policy of the Government or the effect of our Treaty obligations it could be debated in the usual way.

Mr. ANDERSON contended that if the Government went to the country they would find a very different result from that which so astonished them at the last Election.

Mr. PELL reminded the House that the adjournment had been moved by the hon. Member for Mid-Lincolnshire in order to enable the right hon. Gentleman (Mr. Gladstone) to reply to the questions he had addressed to him.

Question put, and *agreed to.*

In reply to a Question as to the day for resuming the debate,

The CHANCELLOR of the EXCHEQUER said, that the Amendment would now stand as the first Question when Supply was called on. It usually rested with the Government to fix the order of Business on Monday and Thursday, and it seemed to him reasonable that the adjourned debate should be taken as the First Order for next Friday.

Debate *adjourned* till *Friday* next.

CUSTOMS AND INLAND REVENUE (DUTIES ON OFFICES AND PENSIONS) BILL.

Resolution [February 15] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Mr. William Henry Smith.

Bill *presented,* and read the first time. [Bill 91.]

MARITIME CONTRACTS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Insurances and other Maritime Contracts.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Edward Stanhope and Sir Charles Adderley.

Bill *presented,* and read the first time. [Bill 90.]

GAME LAWS (SCOTLAND) AMENDMENT (NO. 2) BILL.

On Motion of Lord ELCHO, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Lord ELCHO and Sir GRAHAM MONTGOMERY.

Bill *presented*, and read the first time. [Bill 92.]

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 19*th February*, 1877.

ROUMANIA—TREATY OF COMMERCE.

QUESTION.

LORD **CAMPBELL** rose to put a Question, of which he had given private Notice, to the Secretary of State for Foreign Affairs. In reply to an inquiry made by him in the latter part of last Session, the noble Earl (the Earl of Derby) said that a diplomatic Correspondence would, when produced, clear up certain inconsistencies in relation to the negotiations for a Treaty of Commerce with Roumania. He wished to know, Why that Correspondence had not been included in the Blue Book on the Eastern Question; and he also wished to ask whether there would be any objection to its production?

THE EARL OF **DERBY** said, he should be very happy to produce the Correspondence which his noble Friend wished to see. It was not yet in print; but when it was printed he would lay it on the Table, in order that the House might be in possession of all the information on the subject as far as the negotiations at present went. His noble Friend asked why this Correspondence had not been printed in the Blue Book on the Eastern Question. For two reasons—first, it related to an entirely distinct and separate subject; secondly, the Blue Book was already very voluminous, and the Government had not thought it right to increase its bulk by what could be conveniently printed as separate Papers.

House adjourned at a quarter past Five o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 19*th February*, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Oldham, *v.* John Morgan Cobbett, esquire, deceased.

NEW MEMBER SWORN—Right honble. Edward Gibson, *for* the College of the Holy Trinity, Dublin.

SELECT COMMITTEE—Turnpike Acts Continuance, *appointed* and *nominated.*

PUBLIC BILLS — *Resolution in Committee — Ordered—First Reading*—Dock Warrants * [94].

Ordered—First Reading—Army (Courts Martial) * [93].

Second Reading—Universities of Oxford and Cambridge * [2]; Supreme Court of Judicature (Ireland) * [66]; Justices Clerks * [5]; Forfeiture Relief * [60].

THE RECENT FLOODS—THE THAMES COMMISSION.—QUESTION.

SIR **CHARLES RUSSELL** asked the President of the Local Government Board, Whether, having regard to the serious injury caused by the flooding of the River Thames and its tributaries, it is the intention of Government to introduce any measure with a view to mitigating this evil for the future?

MR. **SCLATER-BOOTH**, in reply, said, the general question of the damage done by the recent floods had engaged his attention and also that of his right hon. Friend the Secretary of State for the Home Department. He had caused information to be collected which might be useful in the event of legislation, or for the purpose of determining whether legislation was necessary or not. With regard to the special case of the Thames, the Conservancy Commissioners had made a very full and detailed allusion to the subject in their annual Report, which had, he believed, been presented to the House by his right hon. Friend the President of the Board of Trade. That Report, he hoped, would in a few days be in the hands of his hon. and gallant Friend, and he would suggest to him that he should renew the Question after he had had the opportunity of seeing it.

HOME FARM COLLIERY, LANARK.

QUESTION.

MR. **MACDONALD** asked the Secretary of State for the Home Department, If it be correct that eight days or thereby previous to the final inundation of the Home Farm Colliery, near Hamilton, in the county of Lanark, that the water burst into that mine or colliery; if the work of a seam, under the Ell Seam, where the bodies of the four men who lost their lives are supposed to lie, was stopped from the inflow of the water; whether the principal Inspector of the district or his assistant visited the mine during the whole of the week that the water continued to flow into the mine; if so, what were the directions he gave; and if, having regard to the whole circumstances, there is evidence to show that the mine should not have been stopped before the final burst of the water?

Mr. ASSHETON CROSS, in reply, said, that in answer to the first part of the Question of the hon. Member, he had to state that it was true that eight days before the final inundation a fall in the roof had taken place in the extreme workings; that in consequence of that fall the work of the lowest seam was stopped from the inflow of water, but the men went on working in the middle seam. With regard to the third part of the Question, whether the principal Inspector of the district visited the mine during the whole of the week, he had to say that the Inspector was not aware of anything having taken place in the mine at all until the morning of the accident, no notice having been given to him of the water having got in eight days before. He was told that the persons in charge of the mine did consult the Duke of Hamilton's mineral agent, who was a gentleman of great skill and experience. That gentleman went down and gave his advice as to what ought to be done, and stated that no further accident was expected. With regard to the last part of the Question, he was not able to say from any information before him at present that the mine should not have been stopped before the final burst of the water; but the Procurator Fiscal was making an independent inquiry into the whole circumstances of the case, and he should wait until that inquiry was completed before taking further steps in the matter. The information at present before him did not lead to the conclusion that the men should have ceased working.

Mr. MACDONALD gave Notice that to-morrow he would ask the Home Secretary, if he would not direct a special inquiry to be made into the circumstances of the case, seeing that a destruction of human life had been involved in it?

Mr. ASSHETON CROSS thought the hon. Member could not have heard what he had said. He had stated that the Procurator Fiscal was making a special independent inquiry at the present moment; and when he heard from that officer, he should be happy to consider whether any further inquiry would be necessary. The hon. Member had, therefore, better wait the result of that inquiry, which was already in progress, before asking the Question.

THE QUEEN'S COLLEGES, IRELAND.—LEGISLATION.—QUESTION.

Mr. LYON PLAYFAIR asked the Chief Secretary for Ireland, Whether he intends to present to Parliament the report recently made by a Treasury Commission on the state of the Queen's Colleges, and if he proposes during the present Session to bring in any measure to carry out the recommendations of that report?

Sir MICHAEL HICKS-BEACH: This, Sir, was a Departmental Commission, and the inquiry was mainly of a financial character. Many gentlemen occupying official positions in connection with the Queen's University and its Colleges gave evidence before the Commissioners, and I am by no means sure that it would be fair to these gentlemen to publish their evidence either *in extenso* or in the Report of the Commission. If that objection can be overcome, I should be glad that the Report should be published, as it is of a very satisfactory nature. I propose to refer such of the recommendations of the Commissioners as are not purely financial to the Senate of the Queen's University; and when the Government have had the advantage of receiving the views of the Senate upon them, I hope we may be able to make some recommendation to the House upon the subject during the present Session. But I do not think that any legislation is likely to be required.

THE NORTHERN PACIFIC RAILWAY.

QUESTION.

Mr. ERRINGTON asked the Under Secretary of State for the Colonies, If he will state what steps are being taken by the Government of the Dominion of Canada to carry out that part of the agreement sometimes known as the Carnarvon Compromise, which provides for the immediate construction of the insular portion of the Northern Pacific Railway; and, whether he has any objection to lay upon the Table copies of a Memorial on this subject addressed to Her Majesty's Government in the early part of last year by the House of Representatives of British Columbia, and of Lord Carnarvon's reply?

MR. J. LOWTHER: Sir, the Bill introduced by the Dominion Government for the construction of the railway from Esquimalt to Nanaimo, on Vancouver's Island—which is not admitted by that Government to be an integral part of the Pacific Railway—was thrown out in the Senate, and, after considering the circumstances, and ascertaining that the cost of that railway would exceed what had been contemplated, the Dominion Government proposed that the Province should receive a sum of money in lieu of that railway, and in compensation for the delays in the construction of the Pacific Railway. This proposal has not been accepted by the Province, and Lord Carnarvon has recommended that the further consideration of the point should be deferred until after the completion of the surveys and the western terminus of the Pacific Railway on the mainland has been decided upon, when an opinion can be formed as to the further proposals which, under all the difficult conditions of the question, may fairly and reasonably be made by the Dominion Government. Papers on the subject are being printed; but it would not be convenient to present them at this moment, although I have no objection to their being presented at a future time.

MERCHANT SHIPPING ACTS—COMBUSTIBLE CARGOES.—QUESTION.

MR. GOURLEY asked the President of the Board of Trade, If his attention has been called to the dangerous manner in which gunpowder and other combustibles are conveyed in cargo and passenger ships; if he is aware that large quantities of gunpowder are shipped in loose kegs with no other preventive against explosion save a few deals and sails in lieu of properly-constructed magazines; and, what measures he intends adopting in order to put a stop to a custom alike dangerous to life and property?

SIR CHARLES ADDERLEY: Sir, passenger ships under the Act of 1855 cannot take as cargo gunpowder, vitriol, lucifer matches, &c., or any articles deemed by the emigration officer dangerous to the health or safety of passengers. But as to ships carrying less than 50 adult emigrants, or steamers carrying any number of cabin passengers, the Merchant Shipping Act of 1873 provides rules for marking and packing any dangerous goods in any vessel, British or foreign, with power to refuse such cargo, or throw it overboard, or with forfeiture. The Explosive Substances Act, 1875, requires certain kinds of packing cases to be used for explosives, and gives harbour authorities the duty of making bye-laws about storage and loading within their jurisdiction, and the Board of Trade Inspectors may inquire into the observance of the Act; and by Orders in Council explosives are defined and classified. The Merchant Shipping Act, 1876, gives the Board of Trade power to detain ships for improper loading; and under this a statement of the law on the subject and general instructions have been drawn up for circulation, which I will lay on the Table. We cannot inspect the loading of every ship, but we act in all cases of improper loading which are brought to our notice. There is, therefore, ample power to check improper loading of gunpowder and other combustibles, and I am not aware that "large quantities are shipped in loose kegs with no precautions," as stated by the hon. Member.

NEWFOUNDLAND—THE FRENCH SHORE.—QUESTION.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether the attention of Her Majesty's Government has been called to the remarks made by the Chief Justice of Newfoundland, when passing sentence upon a prisoner who was found guilty of manslaughter, on the "so-called French shore" of that island, and especially of his statement that along more than one hundred miles of that coast there is not a single magistrate or a solitary constable to whom application for redress or protection can be made; and that in regard to crimes committed within this area nothing has been done to bring offenders to justice, so that unless persons defend their lives and property by their own hand, they have no means of protection; and, whether it is the intention of Her Majesty's Government to take early steps to remedy the evil complained of, and to establish some authority to maintain peace and order on that portion of the shore to which the Chief Justice refers?

Mr. J. LOWTHER, in reply, said, attention had been called to the subject, and steps had already been taken by Her Majesty's Government towards appointing magistrates to administer the law in that portion of the colonies. They were in communication with the Newfoundland Government as to the details of the necessary arrangements.

ARMY—SERVICE IN INDIA.

QUESTION.

Mr. J. HOLMS asked the Secretary of State for War, If Her Majesty's Government had yet come to any decision regarding the arrangements by which adequate provision for the Military requirements of India may be combined with short service in the Army at home?

Mr. GATHORNE HARDY: Sir, I mentioned last Session that I had addressed to the India Office the proposals which I thought calculated to remedy the evil they complained of, and those proposals, I understand, have been referred to the three Presidencies in India, and until they have reported on them I suppose I shall receive no answer on the snbject.

THE EDUCATION CODE, 1876—ARTICLE 60.—QUESTION.

Mr. KAY-SHUTTLEWORTH asked the Vice President of the Committee of Council on Education, with reference to Article 60 of the Code, 1876, When he will state what rules or principles guide the Education Department in granting or withholding the provisional certificate (for service in small schools) which, upon special recommendation by the inspector, they may give to pupil teachers who have completed their engagement with credit, and who have passed satisfactorily their fifth year's examination, or that referred to in Article 94; and, whether, seeing that the grant to such small schools (with an annual average attendance of not more than sixty scholars) employing teachers of this kind, is dependent on the granting or withholding of such certificates, he will take steps to publish or embody in the Code the rules of the Education Department on this subject? He also asked, When the new Code will be in the hands of Members?

Viscount SANDON: Sir, the only condition, beyond those stated in Article 60 of the Code, which is required to enable a pupil teacher to receive a provisional certificate is, that he should be reported by one of Her Majesty's Inspectors to be an efficient teacher. As my hon. Friend has pointed out that some misunderstanding may exist on the subject, we have inserted a few words in the Code of this year to make the matter perfectly clear. I hope that in a few days the Code will be delivered to hon. Members.

FREE LIBRARIES RETURN.

QUESTION.

Mr. JAMES asked the Secretary of State for the Home Department, When the Return relating to Free Libraries, moved for June 24, 1875, will be issued?

Mr. ASSHETON CROSS, in reply, said, he believed that the Return would be laid on the Table during the present week.

NAVY—NAVIGATING OFFICERS.

QUESTION.

Mr. ANDERSON asked the First Lord of the Admiralty, Whether it be not the fact that the concessions made by him to the navigating officers last year, through being restricted to the lowest rank, had resulted in supercession, junior navigating officers getting over the heads of their seniors in the same branch; and if he will look into the matter with a view of so extending the concessions as to avoid that grievance?

Mr. HUNT: I believe, Sir, there has been no case at present in which junior navigating officers have been put over the heads of their seniors in the same branch; but I find it is possible that the thing might happen in a case which has been brought to my notice, and to that I am giving my attention. If the hon. Member will communicate with me on the exact point suggested by his Question I shall be happy to consider the matter.

NAVY—HOBART PASHA.—QUESTION.

SIR GEORGE CAMPBELL asked the First Lord of the Admiralty, Whether there will be any objection to lay upon the Table the Correspondence between Captain Hobart, the Admiralty, and the Foreign Office with reference to that Officer's removal from and restoration to the Navy, and to any intermediate applications from him; and also whether the calculation of his service for retired pay will be given?

MR. HUNT: There is no objection to lay the Correspondence on the Table. I stated what the retired pay was the other day.

SIR GEORGE CAMPBELL: What about the calculation?

MR. HUNT: The retired pay was calculated under the Order in Council, and the years during which the officer was not in the service were not taken into account.

THE TURKISH BLUE BOOK—EXPULSION OF THE TURKS FROM EUROPE.

QUESTIONS.

MR. GLADSTONE asked Her Majesty's Government, Who are the "important personages" with respect to whom Sir Henry Elliot states in his Despatch of December 18th 1876, that they have made a "declaration that the Turks must be driven out of Europe;" and, whether Her Majesty's Government will lay upon the Table the Telegram referred to in the foot-note of Paper I. 105, as containing the substance of the Despatch of September 5th?

THE CHANCELLOR OF THE EXCHEQUER: With regard to the second part of the Question put by my right hon. Friend, there will be no objection to lay the telegram on the Table. I may take this opportunity of correcting a misprint in the date of the telegram. It is stated as the 22nd of August. It should be the 29th. With respect to the first part of the Question, I am not aware who are the particular persons whom Sir Henry Elliot had in his mind; but I am aware that there was a very widely-spread impression in this country that my right hon. Friend himself had recommended a policy something of that character. At all events, such an impression prevailed in this country; and I think it is very probable that it prevailed also in Constantinople. But whether that was what Sir Henry Elliot had in his mind when he wrote that despatch I am not informed.

MR. GLADSTONE: Will there be any objection on the part of the Government—I do not think it is an unreasonable request—to inquire of Sir Henry Elliot who the persons referred to were?

THE CHANCELLOR OF THE EXCHEQUER: I have no objection, and I presume there would not be. I tried myself to see Sir Henry Elliot, but he was out of town.

ARMY—CRIMINAL OFFENCES IN MILITARY DISTRICTS.—QUESTION.

COLONEL NAGHTEN asked the Secretary of State for the Home Department, Whether he has received any information at the Home Office tending to show that a great number of criminal offences are committed in some districts where large bodies of troops are stationed, resulting in convictions which throw heavy expenses upon the counties where such convictions take place; and, if so, whether, in order to prevent such offences and to diminish such expenses, he is prepared to recommend that additional police be provided in those localities at the cost of the Government?

MR. ASSHETON CROSS, in reply, said, that he had not up to present moment received any complaints on the subject, but he had ordered inquiry to be made, and if he found such cases existing he would deal with them.

ARMY RE-ORGANIZATION, &c.

QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Secretary of State for War, If he will name the person who handed in to the Royal Commission on Promotion and Retirement the memorandum printed as Appendix N, containing suggestions for altering the existing organization and the ranks of the Line, which, if altered, as stated in the Report of the Commissioners, might remove the necessity for any compulsory retirement in the lower ranks; and, whether, before applying to the Treasury for more money for the Army, he will cause a public inquiry to be instituted into the question of Army re-organization, which the Royal Commissioners did not enter upon, as they did not conceive it to be within their province to deal with it; the question referred to them being, "How to create the necessary promotion under the existing organization?"

Mr. GATHORNE HARDY, in reply, said, the question of organization was one of the efficiency of the Army, and had nothing to say to promotion and retirement as a money question. If it was necessary to re-organize the Army it would be just as necessary to have arrangements for promotion and retirement as it would be in the other case. He must decline to make another inquiry into Army re-organization.

TRIAL OF ELECTION PETITIONS—LEGISLATION.—QUESTION.

Mr. O'CONOR asked Mr. Attorney General, Whether the Bill he proposes to introduce on the subject of the Trial of Election Petitions will be substantially the same as the one which was read a first time on the 8th August; and, if so, whether there is any hope of its being brought in at an earlier period this year?

The ATTORNEY GENERAL, in reply, said, that the Bill he proposed to bring in upon this subject would be substantially the same as the measure which was read the first time in August last, but he hoped to be able to introduce it very soon.

LOCAL TAXATION—IRELAND.

QUESTION.

Mr. WILLIAM JOHNSTON asked the Chief Secretary for Ireland, When the Report of the Commissioners, who recently sat in various towns in Ireland, to inquire into matters connected with local taxation, will be ready to be laid upon the Table of the House?

Sir MICHAEL HICKS-BEACH: Sir, I understand that the first Report of the Commissioners, which will, I believe, refer to all the towns into which they have inquired, except Belfast, Cashel, Trim, and Wicklow, will be ready in a day or two; and I will endeavour to accelerate the printing and distribution of it among hon. Members as much as possible. Their second Report will refer to the four towns named, and will, I hope, be ready in a fortnight or three weeks at latest. There appear to be special subjects of importance respecting these towns which have caused delay in the matter.

CHINA—THE EXPEDITION TO YUNNAN.—QUESTION.

Mr. STEWART asked the Under Secretary of State for Foreign Affairs, When the remainder of the Papers connected with the Expedition to Yunnan, including Mr. Grosvenor's Report, and also any Papers on the recent Convention between Sir Thomas Wade and the Chinese Government, will be laid upon the Table?

Mr. BOURKE, in reply, said, they would be ready in a few days.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION.

Sir GEORGE CAMPBELL, in view of the adjourned debate on the Eastern Question, inquired, What would be the course of Public Business on Thursday and Friday next?

The CHANCELLOR of the EXCHEQUER, in reply, said, that the Prisons Bills were down for Thursday. The Prisons Bill for England would be in Committee, and the Prisons Bill for Scotland stood for the second reading. On Friday the Order for Supply stood first as a matter of course, but what course would be adopted in regard to the adjourned debate of last Friday he was unable to say.

UNIVERSITIES OF OXFORD AND CAMBRIDGE BILL—[Bill 2.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

SECOND READING.

Order for Second Reading read,

Mr. GATHORNE HARDY, in moving that the Bill be now read a second time, expressed a hope that, notwithstanding the Notice of Opposition which stood on the Paper in the name of the hon. Member for Cavan (Mr. Biggar), the Bill would meet with the favourable reception which was accorded to the separate Bills for the Universities of

Oxford and Cambridge last year. He had supposed the hon. Member's Notice was intended merely to put a stop to the practice of carrying on Business into the small hours of the morning; but it had come to his (Mr. Hardy's) knowledge that the hon. Member had been visiting the neighbourhood of the Universities, and had possibly been engaged in collecting information for the purpose of making an onslaught on the Bill; but he (Mr. Hardy) hoped that such would not be the case, and that the hon. Member would put no obstacle in the way of that improvement of the Universities which the best friends of education wished to accomplish. He had thought it best to introduce the Bill in pretty nearly the same form as that in which the two Bills came before the House last year, because no opportunity had been afforded of discussing the Amendments then put upon the Paper, and, consequently, there had been no means of ascertaining the feeling of the House upon them. In consequence, however, of some criticisms which had been passed last year by more than one speaker, that resident Oxford was not sufficiently represented on the Commission, it had been thought right to appoint certain Commissioners who were still resident at the Universities, but, at the same time, to retain the number of Commissioners at seven; and, therefore, steps had been taken to ascertain whether any of the former Commissioners could retire without feeling hurt in any way. The Dean of Chichester and Sir Henry Maine had made vacancies, and the latter had, indeed, previously intimated that he thought that an Oxford man and a resident would be better able to serve than himself. In place then of those Gentlemen, to whom he felt very much obliged for their courtesy, the Government had secured the services of Dr. Bellamy, Master of St. John's, Oxford, and Professor Smith, who, as Savilian Professor of Geometry, was well known in University circles, and far beyond them. He was quite sure, therefore, that so far as the new Commission was concerned there would be no further complaint about Oxford residents not being sufficiently represented. There was another alteration in the Bill which he might mention. Last year the Commissioners were to have power to extend their operations till the year 1883; in the present Bill they were limited to 1881. It appeared to him that there was a good deal of justice in the complaints which were made last year as to the great length of time allowed to the Commissioners, and it was not desirable that the Universities should be exposed too long to the trouble and commotion which these investigations caused. It was therefore important that they should be relieved of a state of uncertainty as soon as possible, and no one was more desirous than himself to see them at liberty to pursue their course of usefulness without interference from the Legislature. He thought that when they were once started on their career they would know better what was for their advantage than anyone outside. During the Recess nothing, so far as he was aware, had passed of a nature to modify the opinions he expressed on the subject last year. He did not think the debates of last year were at all adverse to inquiry by a Commission, though they were against any extravagant extension of the Professoriate and against the absolute destruction of non-resident Fellowships. Respecting the former point, the opinion of the House appeared to be that while there was a necessity for an increase of the Professoriate, there should not be such an extravagant and extraordinary extension of it as had been put forward by many persons. With regard to the introduction of the Bills of last year into that House, he observed that some very amusing criticisms had been passed by a gentleman of great distinction and a great deal of humour—he meant the Rector of Lincoln College; and to those criticisms he might now refer, inasmuch as they affected not only himself, but the House of Commons generally. Mr. Pattison seemed to have found himself at that great social gathering —the Social Science Congress—where some merriment was needed, and he certainly succeeded in raising a good deal of laughter by his sketch of what passed in that House on the subject of one of the University Bills. Mr. Pattison said—

> "In introducing the Bill Lord Salisbury intimated that one purpose of the measure was to promote science and learning. I confess I was taken aback by this announcement of our Chancellor. To patronize science and learning has always been assumed to be the exclusive prerogative of the party calling itself Liberal. . . . The strange incongruity of Lord Salisbury proclaiming a reform of the Universities in the

> interests of science was a phenomenon which I could not interpret. But we were not left long in this perplexity. When the Oxford Bill got down into the Commons the Member of the Cabinet who had charge of it then hastened to disavow any such intentions on the part of his Government. . . Members of the Government in the Lower House vied with each other in eagerly repudiating any intention of making the University a seat of learning and science. This had been an unauthorized escapade of their impulsive Colleagues in the Lords. This disavowal was well received in the House. Antagonism was half disarmed. The Member for the learned University of Oxford received the congratulations of the Member of the learned University of London in having done with all that nonsense."

When some gentleman in the columns of an influential journal, *Nature*, had said that £800,000 a-year would be wanted for the endowment of Research, and that was about the income of the two Universities, he (Mr. Hardy) thought that that was somewhat too great a demand, and certainly did express some astonishment at the suggestion, but that was rather different from the amusing language attributed to him by Mr. Pattison. As for Mr. Pattison's other observations, he felt bound to say that to make the Universities the seat of science and learning and to improve the position which they had occupied with so much advantage to both science and learning hitherto was the main object of the Bill. Though objection had been taken in the debates of last Session to the special mode in which many persons suggested to endow Research, yet no one took objection to the other parts of the Bill, which proposed that the University should obtain aid from the Colleges; and, indeed, Mr. Pattison himself, in the strongest language, advocated that part of the Bill on the ground that the Colleges were nothing without the Universities, as the Universities were nothing without the Colleges. It was only fair to say that many of the Colleges had recognized it as their duty to contribute to the Universities, and had done so very freely; and it was rather hard that those who were not animated by so generous a spirit, and who yet had something to spare, should be at liberty to give nothing to the University from whom they received so many benefits. With regard to Fellowships, the Bill, he believed, would commend itself to the House. In the debates of last year the tenure of non-resident Fellowships was recognized as necessary for the benefit of both Universities; but it was not thought that they should be treated as life-prizes, if they were to be made wholly irrespective of any duties either to the Universities or to the Colleges. Then there was an almost unanimous feeling in favour of some extension of the Professoriate, and in extending the Professoriate the House would practically be extending Research; for it might be taken for granted that no man could teach who was not continually learning, and that no man who held a Professorship, particularly in natural science, could properly discharge his duties unless he was continually increasing his stock of knowledge and making investigations for himself. For the rest, he might say that among the *alumni* of the two Universities there was a general feeling that nothing ought to be done to injure the Colleges or to take away from the Universities their power of self-government when once they had been set a going in their new path. Accordingly, all that had been done was intended to put them on a proper footing for working more amicably with the University. That feeling, which was not confined to one side of the House, was universally entertained, except, he regretted to say, by his right hon. Friend the Member for the University of London (Mr. Lowe) who owed so much to the University of Oxford, and who was of opinion that the Universities to which the Bill referred failed to discharge what he regarded as the characteristics of a University. Without being mere Examining Bodies, such as his right hon. Friend was so fond of, the University educated classes in this country, which without them would never have obtained anything like a fit education; and there was a valuable action and reaction between these classes and the Universities. He thought, therefore, that it was hard to blame them, for they, he submitted, really did a very great work, and had produced some of the most eminent Members of that and the other House. In all the different Departments of Government, moreover, as well as in other spheres, it might be noticed that those institutions had borne their fair share in producing the men who had risen to distinction. He had been very much struck by a short article from the pen of Mr. Goldwin Smith, which showed that that gentleman still retained, after a period of absence from this country, and notwithstanding his well-known desire for improvements, all his old attachment to the *Alma Mater*. He seemed to be in favour of almost everything which was contemplated by the present Bill, and to wish that the University of Oxford, for which he had still so tender a regard, should in its main features be kept as it was. It would be wasting the time of the House to dilate further upon the objects of the Bill. As he had shown, it was proposed to appoint a Commission with the view of enabling the rich to assist the poor, and at the same time, in a great degree, to assist themselves, and with the view, moreover, of regulating the Fellowships more efficiently, of encouraging the foundation of additional Professorships in arts and sciences which were not at present sufficiently attended to, and, perhaps, of introducing improvements with regard to subjects which were already cared for. He begged to move the second reading of the Bill.

Motion made, and Question proposd, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

MR. LOWE said, he was sorry that in what he was about to say he must to some considerable extent repeat observations he had made last year. It was unavoidable, for the Bill was substantially the same as those of last year, and it was not in his power to produce a new set of arguments for the same case. He was induced to come forward early in the debate, because, on the previous occasion, it had been his fate to speak late, and he had been told—indeed it was the only reply he got from the Government — that the reason why his speech remained unanswered was that it answered itself. One was naturally unwilling to believe that that was the case, and he now hoped that this time he would succeed in inducing right hon. Gentlemen opposite to give a little more argument in reply than he was able to give to himself in the course of his speech. He regretted that the two Universities were comprehended in the same Bill, because in many respects their cases might differ, and arguments might apply to one which did not apply to the other. Again, a person who had been at one could not presume to speak with equal confidence of the other. Circumstances might arise, too, particularly with reference to the Commissions, making it desirable to pass that part of the Bill relating to one University and not that referring to the other. If it should happen that Cambridge was satisfied with the Commission and Oxford dissatisfied, it would be rather hard to put them both in the same position. He wished to call attention very seriously to the position in which this question now stood, and for that purpose he must refer to the course followed by the House when the subject came before it more than 20 years ago. It was, he thought, in 1850, that a Commission was appointed—and a singularly able and competent Commission it was—to inquire into and report upon the whole of the existing state of the University of Oxford. It did inquire and report, and threw a flood of light upon the subject. Ample time was given to weigh the recommendations of the Commission and to decide what should be done. The course then followed was exactly the opposite to the course now adopted. Government did not come down to the House and ask it to appoint a Commission with sweeping powers to carry out what changes might seem to them desirable. On the contrary, they deliberately studied the Report of the Commission and made up their minds what ought to be done, and, instead of throwing the responsibility off their own shoulders on to a Commission, they laid definite proposals before Parliament, and thus led to a definite intimation of what the Commissioners were required to do. This was at once a successful and constitutional course which must recommend itself for imitation to all friends of these ancient institutions. Now everything was changed. What he had described was done by a Liberal, an innovating Government. Now they were in Conservative hands; and what was the result? They knew that enormous changes had been made at the Universities, particularly at the University of Oxford; but they were left entirely in the dark as to whether the effect of those changes had been good or evil, and whether their direction was one which ought to be encouraged or checked. In profound ignorance of the state of things at the University of Oxford—for he preferred to speak of it only—they were asked to appoint a Commission, and give that Commission the largest and most sweeping powers, without any instructions at all as to the direction in which those powers were to be exercised. It was proposed, in short, that, without taking the trouble to make up their minds as to a single point, they should delegate to that Commission almost the whole power of Parliament. A worse precedent than that, and one more unworthy of a Conservative Government he could not imagine. In dealing with those great and ancient institutions, their first duty was to acquaint themselves with the existing state of things, and, secondly, they ought to consider with the utmost attention and deliberation what ought to be done. Then would be the time to lay proposals before Parliament. But how different was the course which had actually been taken! Probably they would be told there had been an examination; but into what? An examination into the manner in which the Universities and Colleges had done their work?—an examination into the state of education, the general *morale* and conduct of the Universities? Nothing of the kind. The examination had been merely pecuniary. There had only been an investigation to find out how much money the Colleges had got, in order to see how much might be taken from them. They had not taken the trouble to inquire into the necessity of any expenditure at all. What they had done, in fact, had been to convict these Colleges of possessing so much money, and they now wished to delegate persons to decide how it should be dealt with. Were hon. Gentlemen opposite prepared to say that that was a Conservative or a respectful way in which to deal with the ancient institutions of the country? Let him recommend them to consider the case of another great and powerful institution, which, whatever might be its merits, and whatever its faults, was certainly guilty of possessing an enormous sum of money. If the Church of England was found possessing large revenues, was that sufficient reason, without inquiring into the state of things, and how the Church had done its work, why they should take the money of the Church of England and apply it to other purposes? What difference was there between the two cases? Were the possession of the money and the desire to appropriate it the only two things to consider? Were they not setting a dangerous precedent which it might be sought afterwards to apply to other institutions besides the Universities? Beyond that, it was to be remarked that they had taken that step of delegating their business to others, without, at the same time, giving them the slightest guide as to the exercise of those great powers. For his part he felt strongly that they were deviating entirely from the old and sound course adopted more than 20 years ago, and that the deviation, instead of being for the better, was altogether for the worse. As to the constitution of the Commission, there was no occasion to repeat over again what he had said last year, and passing from it, he had only to remark that it was not at all satisfactory. They had heard a defence made for the University of Oxford, to the effect that it had done a great deal of good. But that rested on a fallacy. He pointed out last year that the term "University" was an ambiguous one. It had two senses. In one sense it was a corporate body separate and distinct from and placed over the Colleges, and in the other sense it was held to include them. In consequence of the ambiguity arising from those two significations they could make out a case for the Universities which the Universities did not deserve. Thus his right hon. Friend had said the Universities taught. If he meant all the Colleges, then he (Mr. Lowe) said they did more or less; but if he meant the body which was separate from the Colleges, it was its reproach and shame that it never taught at all. That was the way they were tricked with words in that matter. He was talking now of the University which was not inclusive, but exclusive, of the Colleges — of the body which superintended the examinations, and he said it would take a far more strongly-supported recommendation than he had yet heard to prove that it was worthy of any great addition of money being given to it. And the reason that he said it was not worthy was, that he could not find that it had made a good use of the powers and resources it already possessed. Its Professoriate, with some brilliant exceptions, were really of no use for instruction in the University; but, beside the Professoriate, it had most important duties to discharge. It was its duty to superintend the examination upon which students were admitted to the University, and to superintend the examinations by which they were admitted to degrees. Now he could not imagine a more important duty than that, and certainly none calling more imperatively for faithful discharge, because, if the University would raise to a reasonable standard the attainments required before admission to the Colleges, it would by that means give an immense impulse to all the schools of the country. But the examination was extremely and ridiculously easy, and such as very few people would fail in. In that respect the University had failed in doing its work. The work of the University was not to be measured, as was generally considered, by the numbers of those who specially distinguished themselves. The business of the University was with the great mass of the students, and was to be tested, not by a reference to a few men who attained eminence, but by what was done for ordinary men. What was the value of their certificate of the degree of Bachelor of Arts? In that respect the University was wanting; the standard was unjustifiably low; and in that way it had been the means of keeping down the education of the country. So low, indeed, was the standard, that a young man going up to Oxford might live there all his time in idleness, and yet be able to satisfy the standard required for a degree. Such was the result of the standard being absurdly low, and such being the faults of the University, ought not the House, before passing a Bill which would hand over blindfold to a Commission the money of the Colleges, to satisfy itself whether the charges which he now made and which were brought against it by others were or were not true? If true, was not the House bound to take measures to alter that state of things before proceeding further? Every one who knew Oxford was aware that Convocation had a great deal of important patronage, and that the system of non-resident masters voting as now was probably as bad a mode of conferring patronage as could possibly be devised. The constitution and proceedings of the Congregation, too, required to be considered, with reference to the admission to it of residents like chaplains who had no share in the business of the University, and should be submitted to the judgment of Parliament. Surely, then, it was not too much to ask that there should be some inquiry before the House gave its assent to such a revolution as that which was proposed. How much better would it be that it should have the Report of a Royal Commission to inquire whether the charges which he had mentioned were or were not really well founded. If he remembered aright, the powers of this Commission were to commence in 1878. They would lose very little if they continued their investigation up to that time. If Parliament was unwilling to take the trouble, the best thing it could do was to let the matter alone. The worst of all courses was to act without inquiry and without investigation, to arm persons as to whose fitness there was great difference of opinion with powers not inferior to an Act of Parliament. He made this protest on behalf of views generally supposed to be held on the other side of the House, and because he wished that their decisions should command the respect of the country and bear substantial fruit.

MR. MOWBRAY said, he regretted that the right hon. Gentleman the Member for the University of London (Mr. Lowe), in his new-born zeal for ancient and venerable institutions, had declined to come forward and assert his convictions in a more definite way, but had contented himself with an unmeaning protest, which he delivered under the shelter of the hon. Gentleman the Member for Cavan (Mr. Biggar), who, although he put down a Motion for the rejection of the Bill, seemed to have left the House and abandoned his proposition. There had been some question whether the noble Lord the Leader of the Opposition, or the hon. Gentleman from the sister country, was to be the Leader on that occasion; but it seemed that the right hon. Gentleman was prepared to follow hon. Gentlemen below the Gangway. The right hon. Gentleman had favoured the House with exactly the same sort of speech which he had delivered on the subject last Session, although he (Mr. Mowbray) was glad to say that on the present occasion the right hon. Gentleman had omitted some of the more unpleasant personalities. He said there was only one Bill, whereas there ought to be two; that there had been no previous inquiry; that the constitution of the Commission was faulty; and then he proceeded, as he did last year, to inveigh against the Universities. With respect to his objection that there should be one, not two Bills, he (Mr. Mowbray) thought that the Government had done very wisely in consolidating the Bills. They recollected how on a previous occasion hon. Members, whilst discussing one Bill, referred to the other, and they were thus transgressing the Rules of the House by discussing a Bill that was not before it. It was true that in 1854 separate Bills were introduced; but that was the commencement of legislation on this subject, and it was a tentative measure. It would have been impossible at that time to have carried any one Bill as to both. Then the right hon. Gentleman complained that there had been no inquiry; but he must bear in mind that the present case was not at all parallel with that of 1854. Parliament at that time proceeded to legislate for the University of Oxford after the lapse of centuries. There was great necessity then for inquiry, but now they were in such close and intimate connection with the Universities that hon. Members on both sides of the House knew what was going on in both Universities, and the Commission proposed to be appointed would be able to avail itself of the experience which had been accumulated since 1852. Committees of the House of Lords had since that date inquired into and reported upon the Universities, and the Commissions had collected a mass of evidence as to the revenues of the Universities and other questions affecting their studies. He hardly knew on what grounds the right hon. Gentleman objected to the Commission. He objected to the Commission of last year, because it contained among its members the Dean of Chichester, and because another member, Sir Henry Maine, was in his opinion the *alter ego* of Lord Salisbury. But both these names had disappeared, and had been replaced by others against whom he made no objection. Two gentlemen better calculated to represent the University on both sides could not have been selected, or who would meet with more general acceptance in the University and in that House. He felt ashamed when he heard his right hon. Friend repeat his argument that the Universities taught nothing. When at the head of the Education Department his right hon. Friend introduced the principle of payment by results, and he would ask the right hon Gentleman to look round that and the other House of Parliament, the Judicial Bench, and the right Reverend Bench, and inform the House if the Universities had not cause to be satisfied in that way with the results, and if men distinguished in the Church and State learnt nothing when at the Universities. Again, the right hon. Gentleman had remarked that the Universities had a set of Professors who taught nothing. Well, he would leave him to settle that point with his hon. Friends the Member for the City of Oxford (Sir William Harcourt) and the Member for Hackney (Mr. Fawcett). Were those hon. Gentlemen to be classed among the useless Professors who taught nothing? Really, he thought the right hon. Gentleman ought to be ashamed of bringing such accusations against the *Alma Mater* to whom he owed so much. The other matters to which the right hon. Gentleman had referred were matters of debate that could be considered in Committee. His right hon. Friend and Colleague who moved the second reading of the Bill had truly said that there existed in the House of Commons and in the Universities themselves a general coincidence of opinion that the time for legislation had arrived. Indeed, the right hon. Gentleman the Member for the City of London would, if he had chanced to sit at the present moment on the Treasury Bench, himself have been a Party to the introduction of a Bill on the subject. There was a general concensus of opinion that the time had come for legislation, and therefore the right hon. Gentleman (Mr. Lowe), if he wished to test the opinion of the House, ought not to have contented himself with this protest, but should have followed it up with a Motion. Mr. Goldwin Smith had indicated an opinion that the work could be better done by the proposed Committee of the Privy Council. He (Mr. Mowbray) looked upon the appointment of the Universities Committee as a valuable part of the Bill; but while such a Committee would be valuable as a permanent institution, it was necessary that the preliminary work should be done by a Commission such as had been appointed in 1854, and such as was nominated in this Bill, and who could, if necessary, make their inquiries on the spot. He believed the measure would meet with general acceptance in the House, and that the right hon. Gentleman would not have an opportunity of going into the Lobby with the hon. Member for Cavan.

MR. GRANT DUFF: I think, Sir, the last speaker has somewhat misunderstood the argument of my right hon. Friend the Member for the University of London (Mr. Lowe). I understand my right hon. Friend, while acknowledging great obligations to the University, considered as a *congeries* of Colleges, to say that the University in its corporate capacity, separated from the Colleges, does not do its duty fully. For my own part, I cannot rise to the ultra-Conservatism of my right hon. Friend—I agree much more with the *sans culottism* of the right hon. Gentleman the Secretary of State for War and the ultra-Revolutionists who sit near him. I had an opportunity of expressing my views about the Oxford Bill so fully last year that in the few remarks I shall make to-night I intend to touch only upon a single point, and that one in which the proposals of the Government in 1877 differ from their proposals in 1876. The point to which I allude is the composition of the Commission. I see that the name of Sir Henry Maine has been withdrawn. I can well understand that that is a great relief to a very busy man like Sir Henry Maine, and I can quite believe that it was very agreeable to him; but I think it is a pity, for the presence of an eminent Cambridge man and of an eminent Indian on the Oxford Commission would have had many advantages. On the other hand, it would be gross injustice not to admit that the Government has filled his place not only well, but admirably; and not only admirably, but by making the very best appointment which could possibly have been made. The Savilian Professor of Geometry is not merely in the first rank of European mathematicians, but he would be a man of very extraordinary attainments even if you could abstract from him the whole of his mathematical knowledge. He was the most distinguished scholar of his day at Oxford. He was even more distinguished, if I may say so without offence, than my hon. and learned Friend the Member for the county of Denbigh (Mr. Osborne Morgan), whom we knew at Oxford as a very brilliant scholar at a period long antecedent to the first appearance of a now venerable acquaintance, the Burials Bill. But Professor Smith's extraordinary attainments are the least of his recommendations for the office of Commissioner. His chief recommendations for that office are the solidity of his judgment, his great experience of Oxford business, his services on the Science Commission, and his conciliatory character, which has made him perhaps the only man in Oxford who is without an enemy, sharp as are the contentions of that very divided seat of learning. The right hon. Gentleman who is in charge of the Bill may think me rather insatiable if, approving so much of one appointment which he has made, I still raise the question whether the Commission might not be further improved. I do not think the right hon. Gentleman, who wishes, I am sure, for nothing but the good of the University, will give his experiment a fair trial if he does not represent on the Commission that side of science which, as I pointed out last year, is not represented on it. Surely, Sir, there should be upon it some one person who has studied one or other of the sciences into which life enters, and surely there should be also some one person who knows intimately what is going on in foreign Universities. There is nothing sacred in the number seven; and when we get into Committee, I trust that the right hon. Gentleman will either be able to grant, in some form or other, substantially what I ask, or convince me that it is unreasonable.

MR. OSBORNE MORGAN considered that the right hon. Gentleman the Secretary of State for War (Mr. Hardy), had chosen a right course in introducing the Bill first into the House of Commons; but he could not agree with the right hon. Gentleman the Member for the University of Oxford (Mr. Mowbray), that it was an advantage to include both Universities in one Bill, because, as Cambridge had the better provisions, those of Oxford might derive a certain advantage from being rubbed together with them. As to the *personnel* of the Commission, which was a matter of the utmost importance, the present Oxford Commission was a great improvement upon the last, and he desired to thank the right hon. Gentleman for having made the alteration. It was impossible to find, either in or out of Oxford, a man better qualified to serve upon a Commission than Professor Smith. He knew nothing personally of Dr. Bellamy, but that Gentleman was the respectable head of a respectable College, and had a knowledge of the University with which he had to deal. He greatly regretted, however, the loss of Sir Henry Maine, who was not only a man of great intellectual culture, but of proved administrative capacity, and if it were found necessary to throw somebody overboard, he thought they might have found some other Jonah. He was also glad to welcome back his hon. Friend the Member for Northumberland (Mr. Ridley). Having said thus much, however, his approval of the Bill must come to an end. He regretted that the Government should not have thrown overboard that old man of the mountain—the "pious founder." If you held to the wishes of pious founders, you would have to burn half of the persons whom you now proposed to benefit. He regretted very much, too, the clause disfranchising the junior Fellows, who were the life-blood of the Colleges. The clause as to Cambridge had been expunged, and he should endeavour in Committee to gain for Oxford the same advantage. Then, again, he regretted that the Government had not dealt with the subject of clerical Fellowships, which formed between one-third and one-half of the Fellowships in all the Colleges, and were the great blot upon our University system. These Fellowshsip were the test system in its most obnoxious form. They were bad both from an academical and an ecclesiastical point of view, for he feared that the men attracted to the Church by these Fellowships made neither good Fellows, nor good clergy. It was said that it was desirable to retain clerical Fellowships in order to encourage the study of theology; but there could be no greater delusion, for you could no more encourage the study of theology by such means than you could encourage the study of jurisprudence by requiring a certain number of Fellows to be called to the Bar, or the study of chemistry by requiring a certain number of Fellows to practise as chemists and druggists. His main objection, however, was to the principle of the Bill, if he could use such a term in reference to a Bill that had really no principle; and the ground of his objection was that a power which was practically unlimited was given to seven men without preliminary inquiry, without defining the lines upon which they were to act; and with it they would be able to suppress Headships, to suppress Fellowships, to suppress Scholarships, even to suppress whole Colleges. He would not give such power to the Seven Wise Men if they could be found. The Bill was said to be so framed because the University was poor and the Colleges were rich. Now, much might, no doubt, be said for the German or Professorial system; but, judging by results, no Universities in the world could show such results as Oxford and Cambridge. In Trinity College, Cambridge, were to be seen, side by side, the statues of Bacon, Newton, Whewell, and Macaulay; and the College that produced such men, let alone such a scholar as Bentley and such a statesman as Pitt, had surely given pretty good proofs that it was worthy of being entrusted with the task of educating Englishmen. At a banquet recently given by his (Mr. Morgan's) own College at Oxford, Balliol, there were present, or might have been present, the head of the English Church, the Archbishop of Canterbury; the head of the Roman Catholic Church in England, Cardinal Manning; one of the Lord Chief Justices; the Leader of the House of Commons, the ex-President of the Royal Society, the Head of the Civil Service, and a number of other men of distinction, such as the Dean of Westminster and Mr. Matthew Arnold. If you asked these eminent men how they had become what they were, would they say that it was by attending the class-rooms of Professors or by acquiring a smattering of Chinese, Slavonic, Mongolian, or Tartaric? On the contrary, they would say that to this decried Collegiate system they owed that thorough education in the true sense of the word which had served them in good stead in after life—that through it they had learnt thoroughly what they professed to learn, and had thus acquired a sound substructure upon which to build in after life. To say that the Collegiate system needed improvement was simply to say that it was human; but that system had produced great and good men, and it was therefore not without some compunction that he saw this proposal to hand over these enormous powers to these "ancient mariners," who would embark on an unknown sea, bound for an unknown port, without either chart or compass to guide them on their way.

MR. BERESFORD HOPE said, that the speech to which the House had just listened caused in his mind alternate dissent and strong agreement, succeeding each other like the figures in a kaleidoscope. As to the extremely ingenious speech of the right hon. Gentleman opposite (Mr. Lowe) it might be practically put in this way—"Our old Universities are so sacred and useful that you should not touch them with an unhallowed hand; and my reason for so saying is that from experience I can pronounce them to be so useless." This is a fair summing up of that speech. With the main point of the speech of the hon. and learned Member who had just sat down he (Mr. Beresford Hope) thoroughly agreed—namely, as to the preservation of the Collegiate system, and he would also have joined the hon. Member in his opposition, if he had, like him, read the Bill as giving unlimited powers to the "ancient mariners" to carry off the precious cargo. But he saw those rovers of the sea fast bound by every Conservative check from Universities, Colleges, persons interested, Judicial Committee, and Parliament; and therefore, looking at the measure with the amount of checks and counter-checks it provided, he thought that however moderately potent it might or might not be for good, at least it would not be potent for the evil apprehended by the hon. and learned Member. The more safe alternative suggested by his hon. and learned Friend would, as he believed, be really found by far more risky. It must be read in the light of the last year's suggestion of the right hon. Member for the Universities of Edinburgh and St. Andrews, who had suggested a national Commission of non-University men to overhaul every one of the Universities, on the plea which he rode so hard that they were national institutions—that was, institutions without a continuous historical character of their own. If that suggestion were adopted, what would happen? An inquisitorial Commission would after much contention be somehow hit off, and would keep the Universities and Colleges in hot water for a year or two. That Commission would make its Report, while Parliament would very likely be dissolved, and the two Parties change sides across the House. So that Report in another Parliament would be embodied in another Bill, that new Parliament being elected on Heaven knew what cry. A new and now Executive Commission would then be instituted by another Government, of which the two right hon. Gentlemen would probably be Members—the Members for the Universities of London and Edinburgh, as well as the hon. and learned Member for Denbighshire, full of "national" action, and with a phalanx of advanced supporters below the Gangway to pacify. The result of that course of proceeding, he feared, would be far more fatal to the system of self-government of Fellowships and of tuition at the Colleges than the quiet, sober, and domestic provisions of the present measure. There was an old and hallowed maxim—"Agree with thine adversary quickly, whiles thou art in the way with him!" and, therefore, seeing in the future the phantasm of Professorial instruction, and that uncontrolled craving after "Research" which came to us under the aspect of £1,000 a-year, he was now anxious to make, as much as he could, friends with individuals who might prove to be troublesome in the days when the Conservatism of the right hon. Member for the University of London and Edinburgh, and the hon. and learned Member for Denbighshire, would not improbably thaw under the warm sun of the Ministerial bench. He did not approve of the rolling of the two Universities into one Bill, and he should therefore the more jealously watch the provisions affecting Cambridge.

MR. LYON PLAYFAIR: I presume there is a general accord in this House that we are fully justified in dealing with the Universities of Oxford and Cambridge in the interests of the nation. That right was successfully asserted in 1854, when a Commission for each University swept away a mass of obsolete statutes and restrictions, and relieved Universities from preponderating ecclesiastical influences by bringing the teaching under legitimate academical management. The right of Parliament was again asserted in 1869, when tests were abolished and emoluments were opened to all citizens, irrespective of their religious belief. The right of interference with Oxford and Cambridge depends upon their being national institutions, and not mere private corporations. With what object is this Bill now brought under our attention? Certainly not with the limited view of benefiting Oxford and Cambridge alone, but of benefiting the nation at large through the rich stores of intellectual wealth in which every citizen is or ought to be a partner. The Colleges and the University may have certain interests which are different; but they have the common object of promoting education; and in spite of some remarks from the hon. Member for the University of Cambridge (Mr. Beresford Hope), few persons will now maintain that Parliament has no right to exercise a vigilant supervision in order to ensure that the endowments are productively applied to their educational uses. At all events, the Bill proceeds on this assumption, by giving the Commissioners large powers to deal with College funds for educational objects. In one word, then, the Bill assumes that Oxford and Cambridge are great national institutions with national ends. The object of the Bill is to give them greater breadth, and to bring them into a better harmony with national wants. The Bill indicates these wants, on the whole, in a comprehensive way in the 16th clause, but only by indication and not by legislation. We do not legislate, but hand over our powers of legislation to certain Commissioners, who are not common to both Universities, but special to each. Nevertheless, each Commission might have a truly national character, representative alike of the peculiarities of the two Universities, and of the interests of learning and science, which are cosmopolitan, and are limited by no accidents of locality or training. The present Government knows quite well how such national Commissions should be constituted. They have recently appointed one for the reform of the four Scotch Universities—not one for each University, as this Bill provides. The Commission for Scotch learning and science was issued by the right hon. Gentleman the Home Secretary, and how did he constitute it? It now consists of 11 Commissioners, of whom, I believe, no fewer than five are graduates of Oxford and Cambridge, only four were trained exclusively in the Scotch Universities, one is a graduate of a German University, and one is without University training. Not a single murmur as to the national character of this Commission has ever been heard in Scotland. We rejoice that we have the experience of so many English graduates to help us in our reforms. We have found the experience of the German graduate of use, and the freedom from University tradition of the distinguished Commissioner who never had University training is of infinite value to us, because he looks at the questions in a purely national point of view. This large and comprehensive constitution of a University Commission is the work of the present Government, and it has therefore no excuse that it is ignorant in what spirit a scheme of University reform should be undertaken for the benefit of a nation. Unfortunately, the Home Secretary is not responsible for this Bill, for the Chancellor of Oxford University (Lord Salisbury) took charge of it last year in "another place," and the right hon. Gentleman the Member for Oxford University (Mr. Hardy) takes charge of it now, though they do not choose to remember that the Universities of Oxford and Cambridge are great national institutions, but they treat them as close corporations with mere local habits and peculiarities. Had there been even an infusion of Oxford graduates into the Cambridge Commission, and of Cambridge graduates into the Oxford Commission, we should at least have had the benefit of the excellencies peculiar to the one University being extended to the other. Last year there was one instance of this kind, when Sir Henry Maine, a Cambridge graduate, was put on the Oxford Commission. Why is he struck out now? Sir Henry Maine, by his writings when Chancellor of the University of Calcutta, has shown a large knowledge of University reform, and his services to a Commission would have been of great value; but I presume because he injured the close character of the Commissions now confined to the graduates of each University, he has been omitted in the Bill of this year. I do not intend to criticise the names of these Commissions, because I have neither the knowledge, nor inclination to do so. But, with the single exception of the hon. Member for North Northumberland (Mr. Ridley), they were men who graduated under the old system previous to 1854, when the

Universities started into new life. If their University experience be worth much, those of them who have not lived in academic functions within the University must have an antiquated experience, of little value to guide the vigorous movements for reform which now characterise both Universities. This exclusive construction of the Commissions is to my mind a serious blot in the Bill, and I trust the Government will not deem us unreasonable if, from this side of the House, we propose the addition of one or two names representing the interests of science and of learning, without caring to what Universities they may belong. I should prefer, however, to see a Scotch and an Irish graduate on each Commission; for the interests of Scotch and Irish Universities are intimately connected with the prosperity of our great English Universities. From Scotland especially we send both to Oxford and Cambridge a constant stream of students, and the honour-lists of both Universities show that they are not unworthy additions. This is not a new practice, for it has existed for centuries; and, so far from feeling a jealousy of the richly-endowed English Universities, the Scotch Universities encourage their best students in arts to proceed to them, because we know that the Colleges and endowments enable the learning to be carried further than it is our function to impart, for our object is to infuse culture into the professions and industries of the people, and not to carry culture to a high position for itself alone. That undoubtedly is the highest and most unselfish idea of education, but is one which can only be the lot of the wealthy classes, or of the poor when they are made partners in rich endowments. Why, then, when the whole Kingdom glories in the success and even in the characteristics of the great English Universities, do you not make the nation at large a party to their reform, by constituting the Commissions so as to be representative of national interests, and not merely of the local peculiarities of Oxford and Cambridge? It would be presumptuous in me, at the second reading, to suggest to the Government the names of persons who might be added with advantage, but perhaps I may indicate offices which are representative. The Oxford Commission has two men distinguished in physical science—Mr. Justice Grove and Professor Smith; and Cambridge has one in the person of Professor Stokes. But science is divided into two great sections, physical and biological, and there is not a single man versed in biological science on either Commission. It so happens that the President of the Royal Society, Dr. Hooker, is a naturalist and a Scotch graduate; and that the President of the Linnean Society is a distinguished zoologist—Dr. Allman, a graduate of Trinity College, Dublin. The addition of such names would gratify Scotland and Ireland, and materially improve the composition of the Commissions. The Commissions of 1877 differ from those of 1854, because the functions of the latter were chiefly to remove existing obstructions, and allow academic influences free play; while the present Commissions are largely creative, and have to bring the two Universities into accord with the present development of learning and science. The more is the need for their national character. They are short lived, for they expire in 1880; but if they do their work badly and without a full knowledge of modern wants, they will leave an inheritance of mischief which cannot be remedied in our time. Our English Universities, proud of them as we may justly be, are still far from fulfilling the full functions of Universities. A University should fulfil three conditions—it should possess within itself a full representation of learning and science in its academic staff; it should widely diffuse these to the nation through its teachers; and it should widen the boundaries of learning by the researches of its Professors, Fellows, and graduates. Can we say with truth that, rich as both Universities are, they nearly fulfil these conditions? The Bill admits these three-fold functions in its 16th clause, but the application of them is left to Commissioners who cannot be considered catholic representatives of the full conditions of University life. Our object is that our Universities should become the home of learning and science, and that they should receive new developments; but we know that the present system limits the capacity of the home and stunts the developments, and yet we appoint Commissioners wedded to the old system, and none having experience of other systems. Universities which do not in the broadest sense magnify their functions by trying to advance the boundaries of science, as well as to teach it, cease before long to become centres of intellectual activity. The unpopularity of the cry for the endowment of Research has chiefly arisen from the contemplated separation of this important duty of all Universities from the primary function of teaching. The latter, however, is best fulfilled by teachers who are themselves learners in science, so that they may infuse freshness into the subjects taught. But a teacher is a learner only when he is exploring new truths of science, and it is by the example of this combination between the teachers and the investigators that students are induced and stimulated to advance the boundaries of science. My experience, both in foreign and home Universities, has been that the best investigators are the best teachers, and that the union of a spirit of investigation with a spirit of instruction is always found where University life is most vigorous. We heard a good deal last year from the Government itself of the endowment of Research, but have heard little to-day. Though it was imprudently advocated as separate from the primary teaching functions of a University, do not now let us start the Commissioners with the belief that the House is indifferent to the duties imposed upon our great English Universities of advancing the boundaries of learning, as well as of teaching anciently-ascertained facts. I spoke at such length last year that I do not intend to detain the House longer. I would simply remark, in conclusion, that I hope I understand rightly the effect of the 51st and 52nd clauses of the Bill. Their purpose, as I take it, is to leave the University and College free to alter statutes and make new ones after the Commission ceases in 1880. These provisions are very important. I confess if the Bill simply gave to the Universities new powers and removed disabilities, I would have much more confidence in the academic influences now at work within the Universities to effect salutary reforms than I have in the powers to be exercised by Commissioners under this Bill. For the Universities show active efforts to adapt themselves to new wants. The opening up of new but restricted courses of studies, which enable men to devote themselves to the special subjects for which they are most suited; the system of unattached students, on the Scotch system, by which men with moderate means can study and acquire habits of economy and independence; the inter-Collegiate system of lectures, which increases the educational resources of the several Colleges and engrafts Professorial on tutorial methods; and the erection of new laboratories and museums, all indicate an internal spirit of reform which I trust the Commissioners will endeavour to foster by strengthening the academic influences now in full play, and without producing any fixity of system by statutes of too rigid a character.

Mr. GREGORY said, that as the Bill was brought in by the right hon. Gentleman the Member for the University of Oxford (Mr. Hardy), and was supported by the remaining Members for the English Universities, they might therefore take it for granted that it was acceptable to those Universities. At the same time it was, he thought, most desirable that every care should be taken, having regard to the views which had been expressed, to guard the interests of the Colleges. It was possible that some portion of the revenues of the Colleges should be applied to University purposes, but the Colleges were doing excellent work. The Collegiate system was conducive to the welfare of students and to their advancement in life, and he ventured to suggest that some limitation should be placed on the power of the Commissioners in dealing with the revenues of the Colleges, and intended to propose an Amendment dealing with the subject when the new clauses came to be considered. Some rule should be laid down under which, while the Commissioners should have sufficient powers to take such portion of the College revenues as was necessary for University purposes, they should not have those revenues placed absolutely at their disposal. At the same time he did not object to a moderate contribution from each of the Colleges, which he thought would be sufficient for any object which they could fairly be called upon to perform. Another defect of the present University system was the length of residence required from the undergraduates. At present no undergraduate could take a degree without residing for nine Terms, which involved a residence of three years in the University. When he was at the University, young men frequently came there from the public schools who were perfectly competent to go in for any examination. After passing their first examination with credit, they had two years before them during which they were called upon for no serious exertion. This second year was accordingly devoted to pursuits unconnected with University studies, and by the end of the third year he was demoralized. A young man seldom went to the University under 18 or 19 years of age, and as residence for three years was required, he was 22 or 23 years of age before he could enter upon the real business of life. He did not see why, if a young man was fit to take a degree at the end of his second year, he should not be allowed to do so, and should propose a provision in Committee to that effect. He thought it desirable young men should go to the University for two years, because a residence there was useful both in regard to their habits and connections. He had found, however, in his own profession that a young man required to be specially trained for his calling after he had gone through a general University training.

SIR JOHN LUBBOCK said, that having served on a Commission appointed to report on some of the subjects with which the Bill dealt, he might, perhaps, ask the indulgence of the House for a few minutes. The Preamble of the Bill expressed views very generally entertained in both Universities. It would certainly be desirable that the Colleges should contribute more largely out of their revenues for University purposes; and he quite believed that under any general system the great majority of Colleges would be ready and even anxious to do so. There might, however, be some exceptions, and there might well be considerable differences of opinion as to the amount which individual Colleges should contribute and the principle on which those amounts should be assessed. This amount would, however, be determined for each College by the seven Commissioners and the three Delegates elected by the College. Of course, if the seven Commissioners were all present and all agreed, they could outvote the Delegates; but, on the other hand, if there were differences of opinion among the seven Commissioners, the introduction of three Delegates, constituting so large an element, might result in different Colleges being very differently treated. In other respects, he did not object to the powers given to the Commissioners, because anything they might propose to do would have to come before Parliament, so that the House would have an opportunity of making objections if necessary, and the Commissioners would therefore not have such unlimited powers as some hon. Members appeared to assume. Clause 27 preserved the right of nominating or appointing to the Headship of St. Mary Magdalene College, in Cambridge, unless the consent by deed of the person entitled to that right was first obtained. Whether this was desirable or not, it was scarcely consistent with the previous clause, which expressly authorized the Commissioners to modify the trusts of the Dixie Foundation as regarded any right of nomination vested in the heir of the founder, and to commute that right in such a manner or make such other arrangement touching that right as to the Commissioners might seem just and beneficial, only providing that they should give notice, in writing, to the heir of Sir Wolstan Dixie. Now, surely some reason should be given why these two cases, apparently, at least, so similar, should be so differently dealt with. The object of this Bill, as stated in the Preamble, was the encouragement of science and other branches of learning, where the same were not taught, or were not adequately taught, in the University. He therefore trusted that the Government would carefully weigh some of the suggestions which had been offered by the hon. and right hon. Gentlemen, the Member for the Elgin Burghs (Mr. Grant Duff) and the Member for the Edinburgh and St. Andrew's Universities (Mr. Lyon Playfair). It was highly desirable, not only in the opinion of men of science, but in that of those eminent in other branches, that those who went up for their degree should have some knowledge of science; but whatever arrangements might be made that science should be taught in the Universities, it would never be learnt until more weight was attached to it in the distribution of Fellowships and in the system of examinations. There were over 700 Fellowships at Oxford and Cambridge, but according to the last Returns only 12 had been given for natural science. As regarded the examinations, if we except the requirements at Cambridge of elementary mechanics, nothing was done at any part of the course in either University to exact from the students generally any knowledge, however small, of even the elements of the sciences of experiment and observation. The Royal Commission, so ably presided over by the Duke of Devonshire, called special attention to this point, and expressed their unanimous opinion that while some literary cultivation ought to be expected from the scientific student, in like manner evidence of corresponding culture should be required from the student of classical literature and theology, and that "no one should receive a degree who was not grounded in science as well as in languages and mathematics," though such knowledge need not exceed that which might be easily acquired before coming up to the University. No one, indeed, would suggest that ignorance of science should exclude anyone from entrance to the Universities; against any such misconception the Duke of Devonshire's Commission took care to guard themselves, their suggestion being that in such a case there should be an obligation to pass an equivalent examination at some subsequent period of the University course. Very high classical authorities themselves gave strong evidence in support of the view—the Regius Professor of Greek, for instance, said he would require from everyone a certain amount of science before he took his degree. No one would wish that our Universities should become technical schools; but considering the nature of things, the importance of training the powers of observation, and the utility, he might almost say necessity, of French and German, he could not but wish that some acquaintance with modern languages and science should be required in the examinations for degrees. No doubt the Universities possessed even now laboratories and apparatus, libraries and museums. They had excellent Professors and admirable lectures, and the proportion of science Fellowships had been increased. But how were the lectures attended? The Camden Professor had an average attendance of six; the Professor of Moral Philosophy of five or six; the Professor of Botany three or four; of Mineralogy four or five; of Geology very few, and those principally ladies. The hon. Baronet the Member for Chelsea (Sir Charles Dilke) was in favour of abolishing these lectures. Surely it would be wiser to render them more useful? The scientific lectures, however, would never be well attended as long as science was neglected in the distribution of Fellowships and ignored in the requirements for a degree. The effect of this was not only that the Universities did not encourage science in our system of education; more than this, they positively discouraged it. The Universities alleged that they did not offer Scholarships for natural science or require any science in the examinations for degrees, because they feared they would not get good candidates from the schools; and the schools did not teach natural science, because they were afraid of injuring the prospects of their pupils by diminishing their chances of obtaining a Scholarship, and taking a high degree. It could not be doubted that the effect upon the schools of this unequal distribution of rewards had been and was very discouraging to scientific study, and that it exerted an unfavourable influence upon the number of natural science students and on the general system of education in our great public schools. This was not a matter which could well be settled by Act of Parliament; nevertheless, when the Universities came to Parliament for legislation, it was open to us to urge on them the consideration of this important question. A degree ought to be something more than a mere certificate; it ought to imply that the possessor had enjoyed and profited by a good education; but a system under which all the sciences of observation were practically ignored could only be regarded as one-sided and incomplete.

Mr. BALFOUR said, he had intended to have re-opened the burning question of "idle Fellowships," if it had not been for the state of the House and the turn the debate had taken. One of the arguments of the right hon. Gentleman the Member for London University (Mr. Lowe) was that you ought not to draw money from the Colleges, because the Colleges had done their duty and the Universities had not. That observation was made, he believed, chiefly in reference to Oxford, where, for anything he knew to the contrary, it might be true, but it was not true of Cambridge. One of the causes that kept the standard of examination there so low was that the

University was, to a great degree, dependent for funds upon the men who passed its examinations, and the consequence was the authorities were influenced by that consideration of poverty which the right hon. Gentleman said ought not to be corrected.

MR. GOSCHEN said, that the hon. Member for Cambridge University (Mr. Beresford Hope) spoke of the prospects of the Bill with alacrity, just as if it were going into Committee that evening. He (Mr. Goschen), however, thought the discussion had not been too long, considering the enormous interests at stake, and he assured the hon. Member that he did not share his views. The truth was they might debate the Bill as long as they liked in that House; they might state fully their views as to Fellowships, Professorships, and systems of education; they might speak of every question which was most important in connection with the Universities; but the fact remained that they had actually no power to determine anything on the subject. They might certainly endeavour to influence public opinion with respect to those matters; but otherwise all they could say in regard to them was scarcely to the purpose, because the Government handed over the settlement of the important questions which had been referred to during the debate to two Commissions. What did the Bill do? It stated that it was desirable to carry out certain objects of a very undefined character, and gave very extensive powers to the Commissioners to do certain things. They would even be able to abolish clerical Fellowships and to change the tenure of those Fellowships. That was a matter which, he believed, would be contested if it were brought to a vote by hon. Members opposite. For himself, however, he desired that that power should be exercised, and he trusted that some directions in accordance with it more positive than had been already given to the Commissioners would be given before the Bill passed into law. It was a matter of supreme importance; but he thought the hon. Member for Cambridge University had, to use a colloquial expression, let the cat out of the bag as regarded the Conservative view of the Bill. That policy was—"Agree with thine adversary quickly, whiles thou art in the way with him," and accordingly it was intended to settle every question of University Reform in advance while the Conservatives had the majority, and while the Members of the Privy Council, to whom the measure would be referred, were Members of the Conservative Party. ["No, no!"] To say the least, it was a curious coincidence, too, that the Government had also shortened the time for the operation of the Commission in reference to this debate from 1883 to 1881, on which date this Parliament would terminate. Therefore, the question of University Reform was to be settled by a Commission composed of men who commanded the full confidence of the hon. Member for Cambridge University, and who were to settle for some time the disposition of the £900,000 which constituted the revenues of the national Universities. It was of no use debating questions which would have to be settled by the Commission, and they could only hope that they might be settled satisfactorily. Many very important matters might depend upon the vote of a single Commissioner; and therefore it was very much to the purpose, seeing that the Commissioners were to decide almost every question by themselves, except such as hon. Members of the House were able to bring before Parliament, that they should do all they could to support the Government in strengthening the Commission, and in making it deserving of the support of the public, for it was of no use, as he had indicated, discussing what he might call the greater questions of principle connected with the Universities. The Government had justly been congratulated on the improvement in the Commission since last year; and, for his own part, he wished to endorse everything said by the hon. Member for the Elgin Burghs (Mr. Grant Duff) in that respect as merited. No words could be too strong as to the propriety of the selection of Professor Henry Smith; and as the suggestion had originally come from that side of the House—he believed from his noble Friend the Member for Calne (Lord Edmond Fitzmaurice)—it showed that after all there was some use in the struggles of a minority. They last year took up the attitude that it would be difficult to pass this Bill unless the Commission were improved, and he thought they might congratulate themselves that they did not allow it to be hurried through, for the Universities and the public would reap considerable advantages from their action. It had been suggested by his right hon. Friend the Member for the University of Edinburgh (Mr. Lyon Playfair) that a more national character should be given to these Commissions by adding to them representatives who were not graduates of Oxford and Cambridge; and, looking at the fact that they claimed them as national institutions, the plea was a very strong plea, and he trusted it would receive a very favourable reception from the Treasury Bench, and that the hon. Member for Cambridge University would not withdraw his approval of the Commissioners. Another particularly important point, and one which would be required to be watched in the progress of this measure, was, what control would Parliament have over the scheme for reform before it was finally adopted? It was one of the provisions of the Bill that each College should propose its own scheme of reform; but he had not been able to see either in the Bill of last year or in the Bill of this year how any general comprehensive plan could be formed if each College were able to hand in its own plan. He should have thought that what would have been necessary would have been that the Commissioners should first have ascertained what were the wants of the University, and then, having ascertained these, what would be the most equitable distribution of the available funds upon the basis of these wants. Then there was a clause in the Bill that the schemes of the Colleges should be submitted to Parliament; but, how could Parliament exercise any control over the scheme as a whole? Hon. Members must be exceedingly watchful in Committee, so as to prevent any final decision being arrived at without its being first submitted to Parliament. Another danger to which hon. Members should direct their attention was that if the Commission sat for three or four years, it was possible that one of the Members might resign, and the Commission might appoint a successor. Now the Chairman had two votes, and supposing, for some reason or other, Lord Selborne were to resign before the Commission had concluded their labours, there was nothing to hinder Earl Redesdale being substituted, in whom they could not have the same confidence. The Commission would continue their functions, but where, again, was the Parliamentary control? He thought that, on the whole, both sides of the House and the public outside had been led too much away by one feature in the Bill—namely, the application of College money to University purposes; but there were other points which were most important. He would call the attention of the public to the fact that under many of the powers given to the Commissioners the most sweeping changes could be made both at Oxford and Cambridge — changes which might revolutionize entirely the government of the Colleges. Enormous powers were given to create College offices, and those offices would not have to be given away as Fellowships were, by open competition, but they might be determined by the principle of nomination, so that Colleges might be governed by a number of chaplains, sub-chaplains, and assistant-chaplains, which might neutralize, to a certain extent, the University Tests Act, and give a decided Party colour to certain Colleges. That was a proposal to which they must look with watchfulness, and, perhaps, with some anxiety. He also asked hon. Members of the House to look to that clause of the Bill which disfranchised the young Fellows. He trusted that amongst the concessions which those on his side of the House might be able to induce the Government to make during the progress of the measure, it would be found that the clause in question would not be adhered to; but that every Fellow who was a member of the College would be allowed to exercise his franchise, and to assist in giving life and variety to the government of the institution. In conclusion, he hoped ample time would be given for the discussion of its various clauses, considering the great interests which were at stake.

The CHANCELLOR of the EXCHEQUER said, he did not think the shortness of the debate argued any want of interest in the subject, and he felt quite sure that if it had been thought desirable by those hon. Gentlemen who took an interest in the Universities of Oxford and Cambridge that there should have been a wider discussion at this stage of the measure, that there would have been every disposition on the part of the

Government to have met them, and there might have been a full, and, doubtless, interesting, discussion on the whole principles of University education. But what would really be the wisest course in this case would be to discuss the Bill very carefully in Committee. They had plenty of the Session before them, and there would be ample time for the full discussion of those interesting questions with which the Bill would be found to deal. As the Government were not anxious to press forward the going into Committee, hon. Members would have full time to consider the measure and the Amendments they would wish to introduce. He hoped those Amendments would be put on the Paper, so as to give ample time for their consideration. With regard to the general question, almost the only speech which could be treated as a speech against the principle of the measure was that of the right hon. Gentleman the Member for the University of London (Mr. Lowe). The right hon. Gentleman held that a different course ought to have been adopted, and that, instead of bringing forward a Bill, the Government ought rather to have appointed a Royal Commission of a sufficiently extensive character which would have gone into the whole circumstances of the Universities, and should have waited the Report of the Commission before proposing legislation; and the right hon. Gentleman fortified his arguments partly by precedent, and partly by general observations. But that objection was answered by the right hon. Gentleman the Member for the University of Oxford (Mr. Mowbray); and it should be further remembered that things were very different now from what they were in 1854, when, for the first time, the whole question of the Universities was opened up. Since that time 23 years had elapsed, and during those 23 years the attention of the public had been continually directed to the condition of the Universities. We had had a Commission such as that to which the hon. Baronet the Member for Maidstone (Sir John Lubbock) drew attention, and of which he was so distinguished a Member. That Commission recommended that education should be forwarded in this way and in that, and particularly in a scientific direction. Coincident with that, we had the Commission appointed by his right hon. Friend opposite, which had been inquiring into the revenues of the Universities. The result of those Commissions was that the country had come to the conclusion that more might be done by the Universities for the promotion of learning and science, and also that there was a great deal of waste power in them which might be turned to better account for the purposes suggested. We should be losing valuable time, therefore, for purposes of education if we were to throw any more away in inquiries, not absolutely necessary, and, perhaps, not necessary at all. The object was to get on as fast as we could to supply wants to which attention had been called, and to bring the resources of the Universities into such a condition that we could make the most of them. The right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) wished to enlarge the scope of the whole matter, and to treat it as a large question of education. No doubt, that might be a very important and beneficial object; but the point to which they were now directing their attention was what better use could be made of the two Universities of Oxford and Cambridge? Attention had been called to the fact that the resources of the Universities might be turned to better account, and the Government were desirous that the task should be performed as far as possible by the Universities themselves. The task was one of a domestic character, the object being, as he had said, to turn the resources of the Universities to the best possible advantage, and he, therefore, contended that the Government had taken the proper course in laying down that the main principle of the Bill should be to induce the Colleges to improve themselves. No doubt, when they came to inquire into its clauses and details there would be found many points on which it would be desirable to have full discussion, and he would, therefore, repeat what he said at the beginning, that he hoped hon. Members would at once frame those Amendments to which they desired attention to be called when the House should be in Committee. In so doing, they would do well.

MR. SPENCER WALPOLE said, he wished to make two important corrections in the remarks of the right hon. Gentleman the Member for the City of

London (Mr. Goschen). The right hon. Gentleman had stated first, that the Executive power of the Commission was so extensive as to enable it to do almost anything; and secondly, that the only control over its acts would be that of a Committee of the Privy Council, which Committee would be constituted in such a manner that, in point of fact, it would be a political body. The fact, however, was the Executive control of the Commission which was appointed by the present Bill was a totally different control from that conferred upon the Commission by the prior Act of Parliament. In the former case there was no appeal from the Commission, but from this there was an appeal which Colleges or Universities or other parties interested might make to the Privy Council, and it was a matter of the utmost importance that the constitution of the Committee to which the appeal lay should not be misunderstood. Under the former Act, when the schemes were laid on the Table, on Motion made in that House, they were sent to the Privy Council, and the Members of the Council to determine the case were appointed by the Ministry of the day. In this Bill, however, the promoters had purposely put in the Members of the Council who were to determine the question in order that they might not be taken haphazard, and that the public might have the more confidence in them. The right hon. Gentleman would find that the Committee was composed of seven members. Two of those were unquestionably persons who held, in a sense, political offices—the Lord President of the Council and the Lord Chancellor—but they were also offices of an independent and judicial character; and he (Mr. Walpole) thought it was an equal chance whether those two would not be filled, when this part of the Act should come into operation, by Members sitting on either side of the House. The third Member was the Archbishop of Canterbury, who rather belonged to the Party on the opposite side of the House than to the Party on that (the Ministerial) side. The other Members were the Chancellors of the Universities of Oxford and Cambridge, one of whom was a Conservative and the other a Liberal, whilst the two remaining Members were to be appointed by the Crown, and one of them, at all events, was to be a Member of the Judicial Committee. He hoped the right hon. Gentleman, the Universities and the public, would therefore see that the ultimate tribunal to determine these appeals would be an independent tribunal, and could be fully trusted to do fair and ample justice between all those who were or might be interested in the questions which would have to be brought before it.

Question put, and *agreed to*.

Bill read a second time, and committed for *Monday* next.

SUPREME COURT OF JUDICATURE (IRELAND) BILL—[Bill 66.]

(*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Solicitor General for Ireland.*)

Mr. Serjeant SHERLOCK thanked the Government for having introduced this measure so early in the Session. The Bill was an excellent one so far as it was drawn upon the lines of the English Act, and it would be highly beneficial that the same system of judicature, the same principles, and the same practice should be established in both countries. Under these circumstances, he was prepared to afford all the assistance in his power in carrying out the measure, as he believed that it would be advantageous to Ireland. The reduction which it was proposed to effect in the number of the Irish Judges appeared to be in accordance with the opinion which had been expressed by the Press and the public in Ireland; and, taking into consideration the amount of judicial business in that country he was far from opposing them; and, although he believed that there was some misapprehension on the point, he did not feel disposed to endeavour to stem the tide of public opinion. He might, however, mention that two of the Courts of Common Law in Ireland were fully occupied with business, and that in the Court of Exchequer there were very large arrears of new trial motions undisposed of. There was, however, one change proposed to be made in the Judicial Bench which he confessed he did not exactly understand —and that was the one which was to be made in the position of the Master of the Rolls. The Bill was professedly based on the English Act, but it did not follow that Act as regarded that learned Judge. In England he retained the full dignity and position of his ancient office, but it was not the case in Ireland. There the present Master of the Rolls, who had been a distinguished Member of the Common Law as well as of the Equity Bar, notwithstanding his eminence, would not form a Member of the Court of Appeal, and although he would personally retain his precedence so long as he lived, his successors would lose it, and rank after many Judges of whom the Master of the Rolls now took precedence, including the Lord Chief Justice of the Common Pleas, the Lord Chief Baron, and the Lords Justices of Appeal, and they would find their salaries diminished by £500 a-year. He must say that he did not think it good policy thus to degrade an ancient office, and he trusted that the Government would re-consider this matter. There was another point in the Bill to which he entertained great objection. The pressure of business in England had rendered it absolutely essential in order to relieve the over-weighted Judge to appoint official referees to whom causes might be referred. But this was at least an unsatisfactory measure, depriving suitors as it did of the opportunity of submitting their causes to a Judge of the Superior Court. It ought not to be resorted to except in the case of extreme necessity. But this necessity did not exist in Ireland. There was no pressure of business upon the Judges there to excuse it, and he did not think it was, therefore, desirable to add thereto the facilities which already existed for the referring to arbitration all cases in which it was desirable that such a reference should be made. It was an innovation upon the old practice which had found no favour in England, and which, in his opinion, ought not to be applied to Ireland. By another provision of the Bill the Lord Chancellor in Ireland was to take matters exclusively of an appellate character; whereas it would be far better, in view of the small number of appeals in Ireland, if, when the Court of Appeal was unoccupied, that learned Judge were enabled to sit as a Judge of First Instance. It might not be advisable to compel that high dignitary to sit as a Judge of First Instance, but he thought it going unnecessarily out of the way to prohibit him from doing so. The introduction of the new Winter Assizes would be productive of much good, because there were cases in which from the nature of the case prisoners could not be admitted to bail, and yet it might eventually turn out that they were quite innocent. It was, therefore, in every way desirable to accelerate their trial by special Commissions or by Winter Assizes. He regretted that the Bill did not embody within it, in the same way as the English Act, the rules of procedure by which the Supreme Court was to be governed in the future. It was deemed necessary that the rules under the English Act should be sanctioned by Parliament; whereas the Irish rules were to be framed by the Judges under the authority of the Lord Chancellor, and were then to be approved by the Lord Lieutenant in Council, which was scarcely the proper body to settle matters of that kind. There were some other minor matters requiring attention, which struck him in connection with the Bill; but he would not delay the House further, as they would have an opportunity of discussing details in Committee.

MR. LAW said, that before the Question as to the second reading was put he wished to offer a few observations on some of the more prominent features of this very important Irish measure, though he did not rise for the purpose of opposing it. On the contrary, he was very anxious to see it passed, as he thought that legislation upon the subject had been too long delayed. As to the contemplated reduction in the number of Judges, he doubted whether the extent or value of this reform was sufficiently understood. The Bill proposed either presently or prospectively to get rid of four of the Irish Judges, and also an important legal functionary called the Master Receiver, and thus to effect a saving of over £14,000 a-year in judicial salaries alone; and this by itself he thought was a very considerable measure of economy. He concurred in the remarks of his hon. and learned Friend who had just spoken as to official referees, and also as to the inexpediency of departing as the Bill proposed to do in respect of the Irish Court of Appeal from the course that had been adopted in the constitution of the Court of Appeal in England. It was a matter of paramount importance in Ireland, that they should have a strong Court of Appeal. They could not afford to come to Westminster except for the very heaviest and most important cases. That luxury they must leave to the more fortunate dwellers in Great Britain. For the satisfactory adjustment of their rights it was essential that they should have a tribunal of as great strength as they could supply in Ireland. He had never heard any reason stated why the Master of the Rolls in Ireland should not be an *ex officio* Member of the Court of Appeal, as the Master of the Rolls in England was. It might, perhaps, be said that the Master of the Rolls was too deeply engaged already with the business of his own Court; but he did not apprehend that the Master of the Rolls would have any unsuperable difficulty in contributing his knowledge and experience to the efficiency of the Court of Appeal. And, at all events, he would have no more difficulty than the Chief Justices or the Chief Baron. In fact, they knew that the Chief Judges of the Common Law Courts had other and onerous duties to perform besides sitting *in Banco* with their Colleagues, and the Master of the Rolls, he had no doubt, could also, occasionally, at least, find time to attend the Court of Appeal. He could understand the argument, if those who were for excluding the Master of the Rolls, were against having any *ex officio* Members of the Appellate Court. This, however, they felt they could not reasonably contend for. And as the necessary judicial strength must often be sought outside the ordinary Court of Appeal, he (Mr. Law) hoped the Master of the Rolls in Ireland, as in England, would be added to the list of Chief Judges who might be called in when necessary to constitute a Court of extra strength. He understood too there was another point on which this Bill differed from the English measure, and that was with respect to registration appeals. It appeared to him a questionable course to transfer appeals involving what he could not help calling political questions from a tribunal like the Court of Exchequer Chamber to one which would be presided over in all cases by the Lord Chancellor, who was to a certain extent a political officer. However, if cases of this kind were to be dealt with by the Court of Appeal it became all the more important that for that purpose as well as for disposing of the other difficult and delicate questions which would come before it—as, for example, under the Land Act of 1870—they should have a Court so constituted as to command the entire confidence of the country. With regard to the way in which the Bill dealt with the Judge of the Probate Court, he supposed it was the best course that could be adopted under the circumstances. He was of opinion that in this respect the Bill of last year was absurd, for although it declared that the Judge was to be transferred, he was not in fact transferred. He thought therefore that the Government had exercised a wise discretion in leaving out the Court of Probate altogether.

Sir COLMAN O'LOGHLEN said, he had great pleasure in offering his hearty congratulations to the right hon. and learned Gentleman the Attorney General for Ireland on his first appearance in that House in his official character, for he was certain that his appointment had given satisfaction to every member of the Bar, and that it would be a matter of just pride and gratification to him if he succeeded in passing this Session a measure on that subject which had been twice before the House. The Bills introduced in 1875 and 1876 did not come on for discussion in this House till a late period of the Session, and the Bar of Ireland could not fairly be charged with endeavouring to obstruct the measure of last year. All they desired was that it should be fairly discussed, and if it had been brought forward in this House at an earlier period of the Session, instead of being brought down from "another place" so late as it was, it would in all probability have been passed. Though the present Bill differed in some material respects from that of last year, it was identical with it in principle. Almost all the reductions proposed last year were incorporated in this Bill, which substantially carried out the views expressed by Her Majesty's Government in the Judicature Bills of 1875 and 1876. The chief difference between the measure now under consideration and that of last year consisted in the mode of dealing with the Bankruptcy and Probate Courts. Last year a most extraordinary proposal was made to transfer the jurisdiction in Bankruptcy to the Court of Exchequer. He (Sir Colman O'Loghlen), however, opposed that proposal and suggested that, as the learned Judge of that Court had to go on circuit, the jurisdiction should be transferred instead to the Court of Chancery. Her Majesty's Government had not now adopted his view; but they had, perhaps properly, left the Bankruptcy Court altogether out of the Bill, a course that had received the support and approval of the barristers and solicitors of Dublin. He hoped that next year his right hon. and learned Friend would introduce a general Bankruptcy Bill, and that by it, above all things, local jurisdiction in Bankruptcy would be given to such large towns as Belfast and Cork, and ultimately that the Bankruptcy jurisdiction would be transferred to a Vice Chancellor in the Court of Chancery as in England. The other alterations made in the Bill were in reference to the Court of Probate. By the Bill of last Session it was proposed that the Court of Probate should be united with the Court of Common Pleas in Ireland; but the Judge of the former Court, though he would have received a higher salary, would not have been allowed to perform the ordinary duties of the Court to which he was to be transferred. This provision he was glad to find had now been altered. He thought, however, that when the office of Judge of the Court of Probate became vacant the jurisdiction of that Court ought to be transferred to the Court of Common Pleas. The whole of the Judges of Ireland had met and expressed an opinion that that ought to be done, and the Judges of the Common Pleas had notified their willingness to take this business. Another argument in favour of the proposal was, that there would be a saving of £3,500 per annum. With respect to the Landed Estates Court he did not like the proposals in the Bill as to the extension of its jurisdiction, though he thought the Government had done quite right in appointing a second Judge. The Landed Estates Court had been one of the best Courts established in Ireland; and if a similar tribunal, with power to give a Parliamentary title, were established in England it would be a great advantage to this country. [Sir GEORGE BOWYER: No, no!] Well, if his hon. Friend differed from him he could write a letter to *The Times* to-morrow morning on the subject. This Bill dealt with the salaries of the Judges. The salary of the Master of the Rolls was to be increased from £4,000 Irish to £4,000 British, but the difference between Irish and British was so small that he was surprised at such a proposal being made. In addition, the new Vice Chancellor was to have the same amount. Then the salary of the Judge of the Court of Probate and Matrimonial Causes was to be increased from £3,500 to £3,800, though why he could not understand. It was proposed by the Bill to do away with the Judge of the Admiralty Court. This he regarded as inconsistent with the 8th Article of the Act of Union; and it seemed to him that if any Court stood in need of a separate Judge it was the Court of Admiralty, seeing that its duties required peculiar knowledge which ordinary Judges did not possess. He thought, therefore, the office should be retained, but it might be expedient to make him also Wreck Commissioner under the Act of last Session, and to give him some jurisdiction over Probate and Matrimonial causes. There was a clause enabling the Judge in question to retire at once, but this seemed unnecessary, the gentleman who held the office being in the full vigour of life. With regard to salaries, it was proposed that no Judge appointed in future should have less than £3,500; but the salary of the Judges of the Landed Estates Court at present was £3,000, and surely it would be unfair to give those who had long been discharging the duties of the Bench a less salary than was given to a newly-appointed Judge. There was reason to fear, also, that under the provisions as they stood there might at times be a great delay in the appointment of a new Judge. As to the mode in which it was proposed to deal with the officers of the Court he thought it wrong that there should be a different system in Ireland from that in England, but this was a matter of detail, which could be discussed in Committee. With regard to making the Master of the Rolls a Judge of the Court of Appeal, he contended that it was unwise to place Judges of Primary Courts on the Bench of the Appellate Court; and he believed the opinion entertained in the Profession in England with reference to the double duties cast upon the Master of the Rolls was not at all favourable to the plan. He hoped the Committee on the Bill would not be taken till after Easter. If it was taken earlier there would be much inconvenience caused to some Irish Members, and a sense of injustice would be the result. This would be particularly regrettable in connection with so important a Bill, to which the Irish Members generally offered no opposition except on some points of detail.

Mr. CHARLES LEWIS thought the right hon. and learned Baronet opposite (Sir Colman O'Loghlen) somewhat contradictory in his complaints, for he had talked of the Bill of last year as introduced too late, and of the present one as introduced too early. Seeing that an hon. Member had set down a Motion for the rejection of the measure, it might be well for the Government to follow their own counsel as to when they should take the Committee, and not listen to the counsel of hon. Gentlemen opposite. He must express his astonishment at the allusion made by the right hon. and learned Baronet to the Act of Union. It was not unusual to hear appeals made to the Act of Union in opposition to proposed changes, but there was rarely such extreme veneration shown for it as the right hon. and learned Baronet had just manifested, when he sought its aid, not for the purpose of preserving some great public institution, nor for some great public necessity, but for preserving the dignity or increasing the salary of an Admiralty Judge. He (Mr. Lewis) trusted the Act of Union would not stand in the way of Her Majesty's Government doing the very best for the Irish system of Judicature without reference to an Admiralty Judge, his office, or his salary. There was one point on which he agreed with the right hon. and learned Baronet, and that was with reference to having local Bankruptcy Judges in Ireland. It was a most remarkable thing that there was a local Bankruptcy jurisdiction over the whole of England; but in the city which he had the honour to represent persons had to travel to Dublin in order to transact their Bankruptcy business. If a person in Londonderry failed in business he went to Dublin, and was there made a bankrupt, and his creditors had to travel 200 miles, having to follow him at their own expense to obtain justice. That was the system which prevailed at the present time in Ireland, whilst in England a totally different system prevailed. In fact, the English system was directly opposite. The English system first began by the appointment of Bankruptcy Commissioners in Leeds, Manchester, Birmingham, Hull, Liverpool, and nearly all large towns, and now there was, through the County Courts, a local Bankruptcy jurisdiction all over England and Wales. Many of the statements made by hon. Gentlemen opposite with reference to the want of consideration by the House of Irish Business were exaggerated or untrue. ["No, no!"] Well, at least, he thought so. But he had put Questions in that House to the right hon. Gentleman the Chief Secretary for Ireland with respect to this matter during the last two or three years. Promises had been made that the subject should receive careful attention; but, notwithstanding those promises, nothing had as yet been done. He should not be surprised if he heard his right hon. Friend who so ably represented the Government, say that the subject should receive his most careful attention, and on a future day would be included in a general Bankruptcy Bill for Ireland. But even if the right hon. Gentleman made that promise, it was only what he had been told three or four years ago. As no attempt had been made to redeem these promises he had mentioned the subject again that evening.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson), said he had no doubt, from its reception by the House, that the Bill would be allowed to pass. The course of debate, from beginning to end, upon the Bill had been anything but unsatisfactory, and he thought it might be gathered from the discussion, which had been carried on in the fairest way on both sides, that the House approved the general principle of the Bill, which was to assimilate as rapidly as possible the judicial system in Ireland to that prevailing in England. Two important changes were contained in this Bill as compared with previous measures introduced on the same subject. One was the omission of the attempt to put the Court of Probate into the Court of Common Pleas; the other was the omission of a similar attempt to introduce the Bankruptcy Court into the Court of Exchequer. Those were the only broad changes which had been made in the Bill, and he gathered that they were acceptable to the House, as no objection had been raised to them. With regard to the opinion which had been expressed by the right hon. and learned Baronet the Member for Clare (Sir Colman O'Loghlen) and the hon. Member who had just sat down (Mr. Charles Lewis) in favour of the introduction of some legislation with respect to the establishment of local jurisdiction in Bankruptcy in Ireland, he (Mr. Gibson) would only say that the present Bill carefully excluded anything in regard to Bankruptcy. In fact the measure need not have referred to the Court of Bankruptcy at all, but for the circumstances that it provided for the Court of Bankruptcy a Court to which its appeals should go as a Court of Appeal, instead of the Court of Appeal, which was abolished by the Bill. He therefore thought it was hardly possible that he could accept the wording of any Amendments which might be placed upon the Notice Paper dealing with the question raised by the hon. Members for Clare and Londonderry. His hon. Friend who sat behind him (Mr. Charles Lewis) did not seem to attach very much importance to the pledge of the Government, that they would give the subject their attention, and therefore it was with considerable hesitation that he ventured to tell the hon. Gentleman again, that the remarks which he had made upon the subject should receive the earliest possible consideration of the Government. With regard to the other criticisms which had been urged by hon. Gentlemen, he hoped he should be excused if he did not go into them at great length. In reference to what had been said about the omission of the name of the Master of the Rolls from the list of Judges of the new Court of Appeal in Ireland, he ventured to say that it was done advisedly, in consideration of the state of business prevailing in the Court of that most eminent Judge. No one could entertain a higher opinion of that most distinguished Judge than he did. He was acquainted with the public opinion in Ireland, and he was also acquainted with the public opinion in his own Profession, and the idea of suggesting that there had been the slightest intention of casting a slight on that distinguished man by omitting his name from the list of Judges for the new Court of Appeal was so unfounded that it was a subject which he did not think it necessary to advert to. The Government had before them the experience of England, and he was not sure that it had worked so admirably well in England. The Master of the Rolls in England had a great deal to do in his own Court, and it was only by working very hard, and very possibly by overworking himself very much, that he was able to make it possible to occasionally attend at the Court of Appeal. He might say that of all the Irish Bench, none of them were harder worked than the Master of the Rolls. The Master of the Rolls had very laborious work, and also very arduous Chamber sittings, and he ventured to say that if they were to ask the Master of the Rolls the same thing, he would say—"Save me from my friends! I have quite enough to do, and more than enough, without being cast into a new office." The hon. and learned Gentleman the Member for King's County (Mr. Serjeant Sherlock) adverted to another topic, and stated that he was sorry that the clauses with reference to referees were not omitted. He (Mr. Gibson) thought his hon. and learned Colleague, in introducing the Bill, pointed out what he now ventured to call attention to—namely, that the compulsory clauses of the Bill of last Session, compelling the public to refer their cases to referees, had been omitted from the Bill, and that the referees would only act where all the parties not labouring under any incapacity consented. He thought that was a provision which would recommend itself to the better judgment of the House. Two or three of his hon. and learned Friends adverted to another topic, and rather suggested that it might be desirable to withdraw from the Court of Appeal constituted under this Act the power of hearing registration appeals. He thought it better, however, when one Court of Appeal was established, to let it decide everything. It would be a strong Court, and there could be no question of the strength of the Court proposed in the Bill. Indeed, it could hardly be gravely suggested that the Lord Chancellor of any Government, no matter what his politics, would be influenced in deciding a registration case. He was not sure that in connection with the Bill there were any other topics which it would be reasonable for him to refer to on the second reading. He could only say that the other questions raised would receive every possible attention on the part of the Government, and he hoped that the Bill would soon become law. As to what had been said by the right hon. and learned Baronet the Member for Clare with reference to fixing the Committee on the Bill, he was afraid he could not consent to defer it until after Easter, seeing that the Bill had now been before the House for three Sessions, and had been fully discussed. He would, however, endeavour to meet the convenience of all hon. Members interested in the question, but he should endeavour to take the Committee on the Bill before Easter. The Bill would effect a very great saving by the consolidation of offices and the consequent reduction in their number; and in doing so he trusted it would not only effect a substantial saving in the public funds, but that also greater facility in the administration of justice would be accomplished by it, and he therefore hoped it would now be read a second time.

Captain NOLAN pointed out that that would be an inconvenient time for Irish Members to attend on the Committee, and hoped that at least it would not be taken before Easter.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

JUSTICES OF PEACE, &c. (CLERKS' FEES) BILL.

(*Sir Henry Selwin-Ibbetson, Mr. Assheton Cross.*)

[BILL 5.] SECOND READING.

Order for Second Reading read.

Mr. HOPWOOD said, he was glad that this measure had been introduced at so early a period of the Session. As to fees in criminal cases at petty sessions, he was sorry that the Government had not dealt with them; they ought to be entirely abolished. That those who came to seek justice, or were brought up to be dealt with by the law should be made to pay for it was a doubtful policy. Again, some precaution should be taken against the clerks being interested in matters brought before the justices. A clause might be introduced prohibiting this. Further, there was no power given to the justices to remit the fees.

Sir HENRY SELWIN-IBBETSON said, that he thought that as regarded the question of fees in criminal cases at petty sessions, it was a subject which hardly formed a part of that Bill. As to the clerks of justices being interested in the cases heard, that would be difficult to deal with in rural districts, where the clerk was often the only person qualified to conduct the proceedings. However, he would remind the House that the Government had promised to deal generally with the question. As to remitting the fees, the most valuable provision of the Permissive Act was the power of remitting fees. In his opinion, the Bill would be a considerable addition and improvement to the existing law on the subject.

Bill read a second time, and *committed* for *Thursday*.

CITY COMPANIES (OATHS BY FREEMEN).

MOTION FOR A RETURN.

Mr. JAMES moved for a Return of all Oaths or Declarations made by the Master, Assistants, Freemen, Clerk, or other Officer, on assumption of office in each of the eighty-nine Companies mentioned in the second Report of the Municipal Commissioners of 1837. As he was about to bring forward a Motion on the subject, he did not think that the Return he now asked for would be refused.

Mr. ISAAC opposed the Motion, remarking that when the hon. Member made his statements with regard to the City companies, he should content himself by refuting them. The hon. Member might as well ask for a Return of the oaths administered to secret societies, such as Freemasons and the like.

Mr. CHARLEY, regarding the Return demanded by the hon. Member opposite (Mr. James) as being inquisitorial, should support the hon. Member for Nottingham (Mr. Isaac) in his opposition to the Motion, and press it to a division, if necessary.

Mr. ASSHETON CROSS thought that some reasons should be assigned in support of the Motion before it was granted.

MR. JAMES said, that he had before mentioned it was his intention to bring forward a Motion on the subject, and he thought it desirable that the House should be made acquainted with the oaths imposed on certain persons, who thereby became entitled to the electoral franchise. Certain oaths had been removed by the passing of the Test Acts, and there was no valid ground that such obsolete observances should be retained as accessory to any municipal rights. A Return similar to that for which he now asked was granted a few years ago. In answer to the hon. Member for Nottingham (Mr. Isaac), he might say that members of those societies he referred to did not exercise municipal privileges as was the case with the bodies mentioned in the Return.

MR. STEWART HARDY rose to Order. The hon. Member had already spoken in moving for the Return.

MR. SPEAKER ruled that the hon. Member was in Order.

THE CHANCELLOR OF THE EXCHEQUER said, that on looking to the terms of the Motion, he did not see how the House could refuse this Return, which would not be opposed by Her Majesty's Government.

Motion made, and Question put,

"That there be laid before this House, a Return of all Oaths or Declarations made by the Master, Assistants, Freemen, Clerk, or other Officer, on assumption of office in each of the eighty-nine Companies mentioned in the Second Report of the Municipal Commissioners, 1837."—(*Mr. James.*)

The House *divided*:—Ayes 80; Noes 43: Majority 37.

Return *ordered*, "of all Oaths or Declarations made by the Master, Assistants, Freemen, Clerk, or other Officer, on assumption of office in each of the eighty-nine Companies mentioned in the Second Report of the Municipal Commissioners, 1837."—(*Mr. James.*)

CRUELTY TO ANIMALS.

MOTION FOR AN ADDRESS.

MR. MUNDELLA moved an Address for a Return of Licences granted under the Act to amend the Law relating to Cruelty to Animals, commonly known as the Vivisection Act.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, a Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying,—

"1. The persons to whom such Licences have been granted since the Act came in force;

"2. The Licences in which the (optional) provision (Clause 7), requiring that the place wherein the experiment is performed shall be registered, has been inserted;

"3. The Certificates which have been received under Clause 3, permitting experiments as illustrations of lectures to students;

"4. The Certificates which have been received under Clause 5, permitting experiments on cats, dogs, horses, mules, or asses;

"5. The Certificates (special) which have been received for performing experiments without anæsthetics, and the number of such experiments in which curare has been employed;

"6. The scientific authorities who have in each case granted such Certificates."—(*Mr. Mundella.*)

MR. ASSHETON CROSS said, he had no objection to any Return that might be asked for to call into account the action of the Secretary of State in the administration either of this or of any other Act; but this was a matter of some delicacy that concerned not only the Secretary of State, but some of the highest scientific men in the country. He hoped therefore that his hon. Friend the Member for Sheffield (Mr. Mundella) would see that in the first instance, at all events, it would be sufficient if he received the Return in a somewhat altered form. If, when he got the Return so altered, his hon. Friend should still be of opinion that there was anything wrong that required further explanation, he should then move for a further Return. In the first instance, he (Mr. Cross) proposed that there should be an alteration in Number 1 of the Return, so that it should give the number of the persons and not the names of the persons themselves to whom the licences had been granted, and the names of all the places which had been registered under the Act. The same alteration would apply to Numbers 2, 3, 4, and 5, and with regard to the 6th, which he would not however insist upon, he thought it might be dispensed with altogether. He could assure the hon. Member that no licence had been given to any person, except upon the highest guarantee as to the nature of the experiments. When the hon. Member got the Return, he would see that this Act had been fairly and he, (Mr. Cross) hoped, wisely administered. As the question had now come before the House and the country, there might be some anxiety to know how far the Act was carried out. He was bound to say that the medical and scientific gentlemen concerned in the question had acted throughout with the greatest candour and fairness as far as the Secretary of State was concerned. They had met the Secretary of State in every possible way, and he was able to say at the present moment that with regard to the question referred to in Number 5 of the Return—namely, the instances in which experiments had been performed without anæsthetics, the number which had been certified amounted to 1. He believed he might say, so far as the Act was concerned, that since its passing no act calculated wantonly to cause pain had been inflicted. He hoped that when that fact became known, two facts would be seen—first, that the working of the Act had been carefully attended to; and, secondly, that the medical and scientific world were willing to join with the Parliament and with the Secretary of State, and, indeed, with the opinion of the country as far as was possible, in preventing the unnecessary infliction of pain upon dumb animals. This was a fact of the highest importance, which it was desirable that the House and the country should fully acknowledge. He might further remark that in the course they had taken the scientific and medical gentlemen of this country had set an example to all foreign countries. He hoped the hon. Member for Sheffield and the House would assent to the alteration in the form of the Motion which he had suggested.

Mr. MUNDELLA said, he should be very happy, under the circumstances, to accept the suggestion of the right hon. Gentleman, although he should prefer to have had the Return in the form of which he had given Notice. He hoped the hon. Member who had given Notice of his intention to oppose the Motion (Dr. Ward) would now withdraw his opposition.

Dr. WARD said, he was quite satisfied with a Return modified as the Home Secretary had proposed. It would be unobjectionable in that shape; but had it been granted in the form proposed by the hon. Member for Sheffield (Mr. Mundella) it would have been most inquisitorial and invidious, and by the disclosure of names would have subjected many persons to persecution at the hands of the anti-vivisectionists.

Motion, by leave, *withdrawn:*—Then

Address for—

"Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying,—

"1. The number of persons to whom such Licences have been granted since the Act came in force, and the names of all registered places;

"2. The number of Licences in which the (optional) provision (Clause 7), requiring that the place wherein the experiment is performed shall be registered, has been inserted;

"3. The number of Certificates which have been received under Clause 3, permitting experiments as illustrations of lectures to students;

"4. The number of Certificates which have been received under Clause 5, permitting experiments on cats, dogs, horses, mules, or asses;

"5. The number of Certificates (special) which have been received for performing experiments without anæsthetics, and the number of such experiments in which curare has been employed;

"6. The scientific authorities who have in each case granted such Certificates,"—(*Mr. Mundella,*)

—*agreed to.*

TURNPIKE ACTS CONTINUANCE.

Select Committee *appointed,* "to inquire into the Sixth Schedule of 'The Annual Turnpike Acts Continuance Act, 1876:'"—Lord George Cavendish, Lord Henry Thynne, Mr. Beach, Mr. Wentworth Beaumont, Sir Robert Anstruther, Mr. Wilbraham Egerton, Sir Harcourt Johnstone, Mr. Clare Read, Mr. Spencer Stanhope, Mr. George Clive, and Mr. Salt, with power to send for persons, papers, and records; Three to be the quorum.

Ordered, That it be an Instruction to the Committee, that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years, or other special arrangements, the Acts of the Trusts mentioned should be continued.

Ordered, That all Petitions referring to the Continuance or Discontinuance of Turnpike Trusts be referred to the Committee.

DOCK WARRANTS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to declare and amend the Law with reference to Dock Warrants.

Resolution *reported:* — Bill *ordered* to be brought in by Sir John Lubbock, Sir James Hogg, Sir Charles Mills, and Mr. Watkin Williams.

Bill *presented,* and read the first time. [Bill 94.]

ARMY (COURTS MARTIAL) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to regulate and amend the constitution and practice of Courts Martial in the Army, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. STACPOOLE.

Bill *presented,* and read the first time. [Bill 93.]

House adjourned at Ten o'clock.

HOUSE OF LORDS,

Tuesday, 20th February, 1877.

MINUTES.]—PUBLIC BILL—*First Reading*—Public Record Office* (8).

TURKEY—THE INSTRUCTIONS.

OBSERVATIONS. QUESTION.

THE DUKE OF ARGYLL, who had given Notice of his intention

> "To direct the attention of the House to the Instructions from Her Majesty's Government to the Marquess of Salisbury dated the 20th of November, 1876; and to ask Her Majesty's Government whether they intend to take any further measures for the attainment of the ends contemplated in those Instructions,"

said:—My Lords, I rise to call the attention of your Lordships' House, in the first place, to the Instructions which were issued by Her Majesty's Government to the Marquess of Salisbury when he went out as their Special Envoy to Constantinople. Those Instructions had two great ends in view—the first was to obtain some security for internal reforms in Turkey, and the other was to obtain some security for the peace of Europe. My Lords, neither of those two great ends has been attained. There is no reform in Turkey, and alas! my Lords, there is no prospect of peace in Europe. As regards the condition of the subjects of Turkey, I do not exaggerate when I say that there never has been a time in this century when their condition was so alarming or so precarious, and as regards the peace of Europe, we have only to look at that dark background to that dark picture to see more than half a million of men in arms on the frontiers of European and Asiatic Turkey. My Lords, it is time that we should ask ourselves and the Government what have been the causes of this great failure. No doubt there are many causes, for this Eastern Question is a very old Question, having deep roots in the history of the past, and pointing to great changes in the history of the future; but I am much mistaken if two causes in particular cannot be pointed out—first, the unhappy policy which Her Majesty's Government pursued up to the end of last August; and, secondly, the half-heartedness, timidity, and vacillation with which they pursued the new policy which was imposed on them by the public feeling of the country after the Bulgarian massacres had been ascertained. These are the propositions which it will be my duty to substantiate in your Lordships' House to-night; and, my Lords, there is one great comfort in our position now, and that is that at last in the Instructions of the Government to Lord Salisbury—at last—we have a common ground which we did not possess before. If I had had to conduct this argument at the close of the last Session, I do not know where I should have begun. It is impossible to reason on any subject without some common ground to go upon. Where there are no common facts admitted, where there are no common principles recognised, where there are no common feelings sympathised in, it is impossible to come to any conclusion that can be satisfactory. But here for the first time we have an official document in which the main facts of the case are recognized, in which the main principles are admitted, and in which the feelings of the country, if they are not enthusiastically expressed, at least receive some degree of official recognition and respect. This is a great advance, and there are also other matters of great moment, even outside of these Instructions, on which we may find agreement. Allow me to refer for a moment to the significant observation which fell from the Prime Minister on the first night of the Session, when, in reply to some remarks of mine, he said I surely did not maintain or suppose that the interests of the Christian subjects of the Porte formed the only point to be considered in this great Eastern Question—that there were grave considerations of European policy involved, including the fate of Empires. I entirely agree with the noble Earl on that point. It is one of the misfortunes of a partial discussion on a great subject that one is very liable to be misunderstood. I must say that I feel the force and justice of the demands which are often made upon us who criticise the conduct of the Government, to declare our opinion on these great questions of policy to which the noble Earl adverted, and I feel its justice all the more when that demand is made to those who have had any share in the responsibility for the Crimean War. I think the noble Earl has a right to ask us, who were parties to that war and to the Treaties of 1856, whether we have fairly borne in mind that, whatever may be the case now, at the beginning of these transactions' the Government were unquestionably bound by the Treaty of 1856. My Lords, I must say at once that they were so bound. I am not now entering into the question whether the refusal of the Turks at the Conference to concede the demands made by Europe has, or has not, released us from any of the obligations of that Treaty. I am simply admitting most fully that, at the beginning of those transactions, the Government were bound by the whole scope of the Treaties that existed, and that we, in criticising their conduct, are bound to recollect this great and important fact. More than that, I think the Government have a right to make another demand upon us, and to ask us whether we who were Members of Lord Aberdeen's Cabinet admit the policy which led to the Crimean War, and to the Treaties of 1856 and 1871. I do not mean to enter into the controversy about the policy of the Crimean War, or into the question as to whether a better diplomacy, or whether the presence of any other man at the head of the Government might or might not have averted that war. What I think the Government have a right to ask, and what we are bound to answer, is whether, on the whole, we think the general policy which was the object of the Crimean War, and to maintain which we were ultimately driven, perhaps unfortunately, into that war, whether we admit that that policy was a sound one, or whether we have retracted all our opinions on that subject, and retired altogether from the ground which we then occupied. My Lords, I have no right to speak for others, but speaking for myself, I may say that I still regard the general policy which resulted in the Crimean War was a wise, a necessary, and a just policy. My Lords, what was that policy? It was simply and solely this—that the fate of Turkey, whatever that fate might be, was to be a matter for Europe, and not for Russia alone. That was the principle for which we contended, and for which we were ultimately compelled to fight. My Lords, I hold by that. We had a right to say that Russia should not be allowed to take steps by which she should serve herself exclusive heir to this great and splendid inheritance of the East. The fate of Turkey, whether Turkey be a sick man or a dying one, is a question for Europe, and not for Russia alone. So far as the Government have been influenced by that consideration, I think they were bound to stand by the Treaty of 1856, and by the general policy which was sanctioned at that time, and which has been acted upon by every successive Cabinet. I must further say that I am not one of those who think that the balance of power, as it is called—although many foolish and wicked things have been done in its name—I am not one of those who think that that doctrine is now no better than an old almanack, and that it is a matter of no moment to the rest of Europe whether Russia shall or shall not possess herself of territory from Siberia to the Dardanelles. Together with the other Powers of Europe, we have an interest in this matter—an interest less than theirs, indeed, but still sufficient to influence our course of action. My own views on this matter cannot be better expressed than in a very remarkable speech made by the noble Earl opposite (Earl Derby), which has been frequently quoted in the course of these discussions. I shall now quote it again—not for the purpose of convicting the noble Earl of inconsistency, but for the purpose of instructing those among his own friends who differ from him, I suspect, far more than I do, and for the purpose of sheltering myself behind his authority. The speeches of that noble Earl are very seldom made in a purely Party spirit, they are always more or less philosophical speeches, bearing the impress of careful thought and the calmest judgment; and much as I differ from his conduct in the course of these events, I hope it will not be thought that I fail to appreciate the many intellectual gifts which have won for him the confidence of a large portion of his countrymen. His views, as expressed in the speech I refer to, contain the true principles of the policy which ought to be pursued by England. The speech was delivered, I believe, at King's Lynn, and the noble Earl said—

> "I confess I do not understand, except it may be from the influence of old diplomatic traditions, the determination of your older statesmen"—

By the bye, to whom did he refer as "older statesmen?" I believe my noble Friend has a very little the advantage of me in years, and I must "declare off" from that great army of old fogies to which he refers. He goes on—

> "the determination of your older statesmen to stand by the Turkish rule. Whether right or wrong, I think we are making for ourselves enemies of races which will soon become in Eastern countries dominant there. I think we are keeping back that from which we, as the great traders of the world, would be the greatest gainers, and we are doing that for no earthly advantage, either present or prospective. I admit that England has an interest, and a very strong one, in the neutrality of Egypt, and some interest also, though to a less extent, in Constantinople not falling into the hands of another European Power; but, these two matters left aside, I cannot see any harm arising to England from any transfer of power."

My Lords, I entirely agree with this exposition of English policy—every word of which I, for one, am willing to adopt. But, my Lords, having admitted that the Government were bound by the Treaties, I would proceed to ask—to what do those Treaties bind us? I listened carefully to the speech of the noble Earl opposite the other night, in respect to the extent of our obligations under those Treaties, and I heard nothing to which I could take exception. He said something, indeed, ambiguous with regard to the Tripartite Treaty, and he may be of opinion that even now if France or Austria should call upon us to interfere or to fight for the independence and integrity of Turkey, we should then be bound to do so. I will not enter into that question. I should like to see any Government of the present day, after what has happened, attempt to fight for Turkey. But I have great confidence in the Foreign Secretary. I feel quite sure that when he comes to interpret closely any Treaty which compels us to fight or do anything of that sort, his destructive criticism will be amply sufficient to enable him to find a way out of it, and to retreat to the safe ground of that policy in which he takes such delight—namely, the policy of doing nothing. But there is one point in the Treaty of 1856, to which I should like to direct the attention of the House. It is the real *crux* — a difficulty not theoretical but practical—and that is the language used in these Treaties about the independence of Turkey—not the integrity, for this is not just now in question, but the independence of Turkey. I am afraid that the Turks, and the supporters of the Turks, put an interpretation on that word which will not stand investigation for a moment. My Lords, I hope the House and the country will look at facts, and not at mere phrases, with regard to the independence of Turkey. Now, let me call attention to some Parliamentary Papers that have been before us for a long time. We know that the late Lord Dalling, better known as Sir Henry Bulwer, was sent to Constantinople to carry into effect the policy of Lord Palmerston, to support in every way the independence of Turkey, and no man complained more bitterly than Sir Henry Bulwer of other Powers and Ambassadors interfering with that independence; but how did he treat the Turkish Government himself? He treated it as mud under his feet. In one of the despatches in the Blue Book of 1860 I find a note from Sir Henry Bulwer to the Grand Vizier, in which he coolly lays down this principle to the Prime Minister of Turkey—that all reforms which the Turks could not understand must be carried into effect by Europeans; and then he proceeds to say that it is quite evident that the Turkish race is perfectly *effete*, and that it is absolutely necessary to supplant them in certain offices by European officials. Conceive such an address being sent to the Prime Minister of any country by the Ambassador of any friendly Power professing a respect for the country's independence! These are the words he addresses to the Grand Vizier—

> "It is utterly impossible to govern this vast territory in the way in which it is governed, and it is equally impossible to govern by the Turkish race alone, and without regard to Europeans. An administration upon a satisfactory basis can never be carried out without recourse to a new race, and energy can never be infused into affairs."

That is the way in which he talks of the independence of Turkey. Then look how the present Government have been treating Turkey. Look what they have done by way of settling the matter of the Salonica massacre, which, so far as we know, was a purely accidental massacre. The Turkish Government were greatly horrified at what had happened. They sent down legal functionaries to try the perpetrators of the massacre, and a certain number of people were convicted, and certain punishments awarded. But the Consuls of Germany and France, the countries to which the unfortunate victims belonged, not satisfied with the administration of justice, demanded that more persons should be tried, and that those who had been tried should be tried again and severer punishment inflicted upon them. What did Her Majesty's Government do? They wrote to their Minister at Constantinople, and said—"You will support this demand of the other Powers so far as you think it just." That may have been right enough—I am not complaining of it; but what does it imply? It implies an absolute want of confidence in the justice of Turkey. It implies a confession, spoken from the housetop to the world, that in respect to the administration of justice, Turkey is in the position of a barbarous Power. My Lords, I need not argue this further, especially as the noble Marquess (the Marquess of Salisbury) has applied his immense talent for satire in the quiet language in which he has referred to this doctrine of the independence of Turkey. I envy the pen of the man who wrote this passage—

> "The independence of Turkey is a phrase which is, of course, capable of varying interpretations. At the present time it must be independent so as to be consistent with the conjoint diplomatic action taken in recent times by the other Powers of Europe."

Well, I hope we shall hear no more of the independence of Turkey as a doctrine which is to prevent us and the other Powers of Europe from demanding and from insisting, under certain conditions and circumstances, that the Turkish Government shall render justice to all their subjects. Well, then, as to the guarantees of the Treaty of 1856, there is apparently no substantial difference of opinion between us and the noble Earl opposite. As the noble Earl himself said in answer to a deputation, those guarantees were guarantees against murder, and not against suicide—a very good epigrammatic definition, which, however, must be interpreted to mean nothing less than this—that we have not guaranteed Turkey against any of the natural consequences which follow from misgovernment. And this is a doctrine of very wide sweep indeed—covering all the dangers to which Turkey is now exposed. The Turks are cutting their own throats, though they do not seem to know it. They are so misgoverning their own people that they are becoming an offence and a scandal to the world, and against the natural consequences of that misconduct we never have, and we never shall guarantee the independence of Turkey. Has it not been suicide which the Turkish Government have been guilty of? For 20 years, since the peace of 1856, they have been enjoying tranquillity, perfect rest, and immunity from external disturbance, and what is the result? The result is a Government bad with utter badness. If any noble Lord in this House thinks that I exaggerate, I refer him to the Papers laid before us by the Government. He will find overwhelming evidence that it is a Government under which life is insecure; that it is a Government under which the fruits of industry are insecure; that it is a Government under which the honour of families is insecure. Moreover, he will find that this insecurity arises, not from mere brigandage, not from want of law, but from the acts of the officers and agents of the Government itself. They are the men who commit murders, and under whose care life and property and family honour are insecure. Then you will find from the Blue Books that the Christian population of Turkey suffer under this most terrible aggravation of all other sufferings—that they have no hope of redress from the tribunals of the country, that there is not a single Judge in Turkey who is not venal, that there is not a single court to which Christians can appeal with the conviction that their evidence will be allowed due weight, or, indeed, any weight at all, when they are pitted against the interests and the passions of the Mohammedan majority of the country. The evidence comes to this, my Lords—that in the Christian provinces of Turkey its Government is nothing better than a permanent Government by Bashi-Bazouks. And here, my Lords, I should like to refer for a moment to an observation which fell from me on the first night of the Session on the subject of the right of insurrection, and which excited some murmurs of disapprobation from my noble Friends opposite. I have been thinking often, since then, what can have been the cause of these murmurs—and I have come to the conclusion that in all probability they expressed a feeling in which I heartily sympathize. There is a good deal of very loose language held in the world now-a-days in respect to what is called political crime. There are many people who seem to think that men may convulse the country to which they belong, deluge it with blood, and expose its inhabitants to all the horrors of civil war, and that all these crimes are rendered virtues if only they can allege some motive which they call political. Detestable doctrine, my Lords! And if noble Lords thought I was giving expression to any feeling of this kind, I do not wonder at their murmurs—indeed, I thank them for them—but what I meant was very different. My proposition was not a general but a particular proposition—applicable to the special case of the Government of Turkey such as it now is—and what I said was this—that in a country where life, property, and honour are insecure, where courts are venal and justice is not to be obtained, where the Government does not guarantee to their people any one of the primary rights of humanity, there, I say, our sympathies should be with those who rise against such oppression, and not with the Government which by such conduct challenges and justifies insurrection. Can this proposition be gainsaid in any assembly of Englishmen? Surely we cannot forget that our own liberties have been obtained by successful insurrections, and it is not for us to denounce men who have revolted against such a form of Government as that which has been proved to exist in Turkey. My Lords, you must have misunderstood me, and I must have misunderstood you.

Well, my Lords, what happened when the insurrection broke out in the Herzegovina? I can quite understand the language of those who say that we have no more to do with cruelties or oppression in Turkey than we have to do with the "Customs" of Dahomey. I repudiate this doctrine as applied to the Christian population of European Turkey—but I understand it. It is consistent at least with perfect impartiality between the insurgents and the Government of Turkey. But was this the course pursued by Her Majesty's Government? No. I contend that when Her Majesty's Government heard of that insurrection in 1875, they were not impartial, they were not indifferent; they were active partisans of the Turkish Government against the population which rose against Turkish rule. They were unceasing in their entreaties to the Turkish Government to put the insurrection down as soon as they could, and in their exhortations to other countries, and especially to Austria, not to allow interference on behalf of the insurgents by neighbouring sympathisers. ["Hear!"] I hear a cheer from a noble Lord on my own side of the House, implying, perhaps, that it was right to prevent the help of external sympathisers. But I beg you to remember who those sympathisers were. They were the descendants of men who had fled from Turkish oppression in former times—friends, neighbours, and often kinsmen of those who are now in revolt. You had no moral right to deprecate such sympathy, or to prevent the insurgents getting such help. I ask was such action impartiality? Do not tell me it was impartiality to be calling upon the Government of Austria to put down and to prevent the just and natural sympathy with the insurgents of neighbouring populations—I say it was taking almost as active a part on one side as the English Government could have taken. But that is not all. The Austrian Government, when refugees from the Turkish Provinces came into its territory, gave them out of mere humanity a small allowance to keep them alive. Now, I see that through your agents and your Ambassadors you were urging the Austrian Government to withdraw this miserable pittance—not only this—they were urging them to send back those people into Turkey at the very time when your own agents were telling you that they could give them no sort of security that they would not be murdered within a month; and, urged by the Austrian Government which was urged by you, some of those unfortunate people did go back, and were murdered. I say that the Government of England, so far as their diplomatic representations were successful in urging the Austrian Government to send back those people, are responsible for their fate. Then, again, I see that you objected to volunteers. Of course, I admit that International Law forbids the enlistment of volunteers; but International Law breaks down under such circumstances as these. You cannot insist upon its maxims when dealing with conditions so anomalous, or with a Government so barbarous as that of Turkey. In your own country you have not been able to prevent English sympathisers in hundreds and thousands going off to fight against foreign Governments. This, then, is another way in which you showed your animus in favour of keeping up the Turkish Government against those who live under it at any cost to them, because, forsooth, it was supposed that the interests of England required such a policy. This is the policy which I denounced in the autumn as unjust and immoral. I denounce it as unjust and immoral still, and I hold that it was all the more immoral in this case because you had evidence before you that the rising in Herzegovina—I am not now speaking of the rising in Bulgaria, of which we knew nothing till we heard of the massacre—was not instigated by foreign agents, but was the natural consequence of abominable oppression; and, moreover, that the insurgents held the most just and moderate views as to the demands they were entitled to make upon the Turkish Government. I confess that the Blue Books have not impressed me with the accuracy or the extent of knowledge possessed by our Consuls. Almost all their information appears to be derived from Turkish sources. You almost invariably find in their reports "—— Pasha told me this," or "the Turkish General told me that." The fact is, after what I have read in those Blue Books, I do not believe a word which rests alone on such authority. There were very few occasions in which the Consuls got into communication with the people themselves. There is one instance, however, in which a Consul did get in contact with the insurgents—I refer to Mr. Consul Holmes—and this is the account which he gives—

> "I would here remark that, contrary to what is asserted in so many newspapers, the people of Herzegovina neither demand nor have ever deserved an impossible autonomy as Servian agitators would have persuaded them to do. They only ask to remain subjects of the Sultan, with reformed laws, under proper and just administration of them. How to secure this is the difficulty."

That is the account given by Mr. Consul Holmes of the first insurgents in the Herzegovina—these men wanted nothing but security for their lives and liberties under an European guarantee, and these are the people against whom you levied the whole battery of English diplomacy, in order that the Turkish Government might put down their insurrection and that neighbouring Governments should prevent any exercise of sympathy with the oppressed people. And what is the reason? How is it that humane and honourable men—men I well know personally as humane as any on this side of the House—came to justify yourselves in acting on such a cruel and unjust policy? I believe it was entirely due to what is now known by the name of Russophobia, which makes you imagine that every insurrection in the Christian Provinces of Turkey is due to Russian intrigue. You who support the Government always speak of us, the opponents of this policy, as men influenced by sentiment, and as having no more intellect than snipes; the reasoning faculties—the brains—are all on that side of the House. I should like to test this assumption for a moment. What, I should like to know, would be said in physical philosophy, of the reasoning powers—of the intellect—of the brains of a man who, seeing in his laboratory certain results, and knowing of the presence of one sufficient cause, would nevertheless insist on attributing it to some other cause which he did not know to be present at all; and which, even if it were present, is insufficient to account for the facts? Yet this is exactly the position of the Government in regard to the insurrections in Turkey. You cannot deny that the Government of Turkey is utterly bad—you know that in that mis-government you have a sufficient cause for all the effects before you. But, no; you must fall back on Russian intrigues. It reminds one of the query in the "Rejected Addresses" at the time when in this country there was a mania against the First Napoleon

—"Who fills the butcher's shops with large blue flies?" And the answer was Bonaparte. Well the policy to which I have been adverting was that pursued by Her Majesty's Government till the end of August or the beginning of September in last year—that is, during the months which elapsed between the proposal of the Berlin Note and the adjournment of Parliament. You were objecting to everything the other Powers proposed, and proposing nothing yourselves. Your own description of your position was that you were deprecating any interference in the internal affairs of Turkey by the other Powers; deprecating all movement in favour of the insurgents. Well, my Lords, holding up your hands in deprecation of all active exertion, in the presence of the great movements which determine the history of the world, is not a very helpful or a very hopeful attitude. And what is it the Government has been deprecating? You have been deprecating facts—awkward things to deprecate—living facts—facts which were passing before your eyes. You were deprecating the sympathies and the feelings of enormous populations—feelings and sympathies which are among the most powerful of all facts in politics. Well, but at last this policy was changed, and changed by what? We heard of the dreadful massacres in Bulgaria, and the conscience of the country then awoke to the deplorable and horrible results of this policy, supporting Turkey at all risks and costs. My Lords, I do not know what history will say regarding this repentance. I am afraid history will say that it was a somewhat late repentance; but of this I am sure—that it is a repentance, which, whether late or not, is now sincere and universal, and that it is a repentance which never will be repented of. The people and the Government of this country have now awoke to the discovery that the Government of Turkey is a barbarous Government. We have been shocked to see the horrors of African warfare in the heart of Christendom, and the horrid cruelties of Gengis Khan in the days of Queen Victoria. Well, then, before the storm of public indignation the noble Earl, I must say, with the most perfect frankness, told Turkey that it had become impossible to pursue his former policy of protecting Turkey from the consequences of her own misgovernment. He gave no hint, indeed, of any repentance—of any change in his own mind. He simply said that the former policy was one which the feelings of this country could no longer tolerate. Yes, thank God, it is! Well, then, I say that during a period of many months, up to the beginning of September, 1876, you had been so impressing Turkey with the idea that you would be her friends at all costs, that there was no chance of her giving way to the other Powers. You did all you could to prevent Turkey agreeing to the demands of the Powers. You were dragged—reluctantly—into a sort of concert with those Powers in the Andrassy Note; but further than that you would not go, and directly and indirectly you were encouraging Turkey to resist the will of united Europe. But in the beginning of September you entered on a new policy; and now I come to my next proposition—that you have pursued this new policy with such half-heartedness and such timidity that it had no chance of success. So late as September 5, what was the language of your Minister at Constantinople — language, of course, held by order from home? Speaking of European guarantees for good government in Turkey, he says that this would lead to results "against which Her Majesty's Government has throughout set their face." But what must the Turks have thought if they knew that such was even then still the language of the British Minister? Why, they must have been convinced that there was no change in your policy, notwithstanding that the massacres in Bulgaria had made it impossible for you to actively interfere in their defence; that you were for the moment coerced by the popular sentiment, but that as soon as you could you would turn round again—in other words, that you were still holding to what are called "English interests," and were on the side of Turkey and against the other Powers of Europe. And now let us see what you were doing during the rest of the two months of September and October. You made great efforts to bring about an armistice between Turkey and Servia as a preliminary to peace, on terms which were to guarantee some liberty to the subjects of Turkey. With great difficulty all the Powers were at last got in line, and Russia agreed to the English basis of peace—a basis which I am far from saying was not a reasonable basis. Credit is due to you for your endeavours to get all the Powers in a line, and at last you succeeded. What happened? There are no secrets of diplomacy in these days. Everything seems to be known. Many of your Lordships will remember the tone in which Lord Ellenborough used to denounce the want of secrecy in the India Department. What would he say if he were alive to read the revelations of the present day? What you were doing was perfectly well known. It was perfectly well known that you were trying to get the Powers of Europe to agree on terms of peace, having as a basis the necessity of some European interference in the internal Government of Turkey. Well, now all this time Turkey knew, through Sir Henry Elliot, as we have seen, that you admitted this principle with reluctance. Her object was to get rid of this principle. She might reform herself, but there was to be no interference with her on the part of the Powers of Europe. So that the antithesis was this—you were laying down a basis of peace with a view to external interference; whereas, on the other hand, the great aim of Turkey was to have an armistice with a view to self-reform, and no external interference. And what occurred? On the 11th of October the Turks made a counter proposal. After you had got Russia, Italy, France, and Austria to agree to a short term of armistice, with a Conference behind, the Turks turn round and say—"No, we shall not give you that; but we will give you a six months' armistice without a Conference." What did the noble Earl the Foreign Secretary do? He jumped at the Turkish offer like a salmon at a fly, and immediately telegraphed, "By all means." What was the consequence? Austria, which after the greatest difficulty had been got to agree to your terms, came to the Foreign Office and asked if it was really true that England had abandoned her own proposals, and had agreed to the counter-propositions of the Porte—counter-proposals which were essentially different in principle and in effect. Here is the noble Earl's account of it. In a despatch to Sir Andrew Buchanan, dated the 19th of September, he says—

> "Count Andrassy stated to your Excellency, in the conversation reported in your telegram of the 17th instant, that he wished me to state clearly what course Her Majesty's Government are disposed to maintain and recommend in order that he might act in concert with them. Her Majesty's Government have every wish to communicate most frankly with Count Andrassy and reciprocate his wish for concerted action. It is their desire that you should inform him that, having accepted the proposal of the Porte for an armistice of six months, they will make no new proposition."

Thus, the other Powers found that they had been thrown overboard, and that Her Majesty's Government had agreed to the counter proposal of the Turks. What did Russia do in the circumstances? It addressed a similar inquiry to the noble Earl, and asked whether it was possible that England had thrown over its own proposal for a short armistice—

THE EARL OF DERBY, interrupting, said, that what the Government asked was that the armistice should not be for less than a month.

THE DUKE OF ARGYLL: The mere duration of the armistice, taken by itself, is not the point—the point I wish to impress upon your Lordships is, that the longer armistice, coupled with Turkish self-reform, was intended by the Turks to negative the proposed Conference and European interference. Well, the Russian Government, mortified and confounded by the line taken by the English Government, asked whether it was really true that the English Government had abandoned its own proposals, or had ceased to press them upon the Porte? And here is the noble Earl's reply, dated October 24, 1876—

> "It was true, therefore, that these proposals (namely, the English basis assented to by all the Powers) had ceased to be pressed upon the Porte!"

The only conclusion at which the other Powers could arrive was that they were dealing with a vacillating and timid Power, which had no backbone of policy of its own. The Turks, on the other hand, thought—and had every right to think—that the English Government would do all they could on their behalf. From the difficulty into which our Government had thus got they were delivered only by the firmness of the Emperor of Russia. The Czar said, in effect—"If England chooses to go back from proposals made and accepted by the whole of Europe, I will not be fooled by Turkey in this way!"

and he sent an ultimatum to Turkey demanding that within 10 days she must give a six weeks' armistice to Servia; and the English Government were relieved from their difficulty by the success of that ultimatum. What happened? Very soon after that, Lord Augustus Loftus had an interview with the Emperor of Russia in the Crimea, and the Czar then remarked that what had been done by Turkey in response to the ultimatum, was the successful result of a little firmness. My Lords, when I read that I confess I experienced feelings akin to shame. There have been days when not even a Czar of Russia could pat an English Minister on the back and say—"See, my good man, what a little firmness can do."

Next came the mission of the noble Marquess opposite (the Marquess of Salisbury); and even in the conduct of the Government during the course of that mission I see the same timidity and half-heartedness which has ruined the policy of Her Majesty's Government in every stage of these transactions. And here I must say, that if I admired the courage and the self-sacrifice of my noble Friend in undertaking this mission before I saw these Papers, I admire that courage much more now. My Lords, it was a mission foredoomed to failure. Look at the very first step which was taken. The noble Earl the Foreign Secretary on several occasions stated that he would not consent to a Conference on Turkish affairs from which the representatives of Turkey were excluded. On the other hand, Russia objected to a Conference in which Turkey should be admitted to see the differences which might arise between the other Powers. In this difficulty some subtle diplomatist whispered into the ear of the noble Earl, as the serpent whispered into the ear of Eve, a truly wonderful suggestion. Cut the Conference into two. Have two separate series of meetings—one to be called "Preliminary," from which Turkey shall be excluded, and the second not to be so called, and to which Turkey may be admitted! And where, my Lords, do you think the Preliminary Conferences were held? Why, in the Russian Embassy! Could any device have been hit upon which combined more curiously every possible objection? Could there have been any combination of circumstances more fitted to rouse the suspicions and to offend the pride of Turkey? Was it possible to ensure more certainly the refusal of Turkey to agree to any terms agreed upon under such circumstances? Turkey knew that she had nothing to fear, and, perhaps, much to hope, from you, in the event of such rejection. For I would remark, further, that on the 22nd of December in last year the noble Earl opposite, in a despatch to the noble Marquess who represented this country at the Conference, stated that—

> "Her Majesty's Government have decided that England will not assent to, or assist in, coercive measures, military or naval, against the Porte."—[*Turkey*, No. 2, p. 56.]

Well, Her Majesty Government had a perfect right to arrive at any decision that pleased them as to the course which they would take; but I find that on the 24th of December—two days later than that of the despatch from which I have quoted—a most mysterious telegram was despatched from Constantinople by Safvet Pasha to Musurus Pasha, the Turkish Minister in this country. The telegram was in the following terms:—

> "I have read it to the Grand Vizier" [what the 'it' was that was read is not given in the Blue Book]. "His Royal Highness received this communication with deep gratitude, and begs you to express to his Excellency Lord Derby his acknowledgments. You will explain to his Lordship, in the name of the Grand Vizier, that the Sublime Porte reckons more than ever on the kind support of the Government of Her Britannic Majesty, under the difficult circumstances we are passing through."—[*Turkey*, No. 2, p. 62.]

I ventured to hint on the first night of the Session that an intimation had been conveyed to the Porte to the effect that no attempts at coercion would be made or approved by Her Majesty's Government; but the noble Marquess opposite shook his head so violently that I was intimidated by the vehemence of his denial. Since then I have looked again into the Blue Books, and the result of my search has been the discovery of the documents which I have read—the last of which is both curious and mysterious. I should much like to know what "it" was that Safvet Pasha read to the Grand Vizier, and if no objection is raised I would move for a copy of the document furnished to Musurus Pasha and by him transmitted to Constantinople. And now, my Lords, what is the result of all this? We find that the noble Marquess who represented England at the Conference wound up his part in it by telling Turkey that England was determined to leave her to her fate, she having deliberately rejected the advice which he, as England's representative, had offered to her. What did that mean? Everyone knows what that means. It meant that we would leave Turkey to be dealt with by Russia. There is no mystery about it. And this is the upshot of all our feeble policy—to leave Turkey in the hands of Russia! For the first time, when I read this, I began to mourn over the Crimean War. Alas, for all those brave men who now lie mouldering on the moors of the Crimea or have found in the Black Sea "their wild and wandering graves?"

My Lords, what is our position now? Again let me recall to the mind of the House the position in which we are placed by the Instructions issued to Lord Salisbury. We have laid down these two propositions in language which can never be retracted—first, that we have a right to demand of the Porte some protection for her Christian subjects, and next, that we cannot trust the Turk to fulfil his own promise on their behalf. These are the declarations of the English Special Envoy—declarations to which the Government is pledged; and what I now wish to know is whether you mean to keep by those declarations or whether you mean to abandon them? I also desire to know from noble Lords opposite whether they mean to keep up the European concert? My Lords, I always understood before I read these Blue Books—and this is one of the very few points which are entirely novel even to those who have attended closely to the subject—I always understood that it had been found almost impossible to induce Austria to adopt any line which even looked in the direction of coercion. But that is not the evidence of the Blue Books. Three times in the month of September—and the latest date is the 21st—I find that Austria is distinctly recorded as having declared to the noble Earl opposite that it was not sufficient to obtain the conclusion of an armistice; that it became of the highest importance that conditions of peace should be agreed upon without delay by the Powers and "enforced by them upon the Porte." Therefore, you have the evidence of the noble Earl himself that up the 21st of September, if not later, Austria would be willing, if you managed her wisely, and if you made proposals to the Government of Turkey which would have met with her approval, to join you in measures of coercion. Here are the words of the noble Earl as addressed to Sir Andrew Buchanan—

> "The Austrian Chargé d'Affaires called upon me this afternoon and communicated the substance of a despatch from Count Andrassy. . . . For these reasons it is not sufficient to obtain the conclusion of an armistice. It becomes of the highest importance that conditions of peace should be agreed upon without delay by the Powers, and enforced by them on the Porte."

All this confirms what I have already said, that the one obstacle throughout these transactions to a firm and effective concert of the European Powers, has been the determined opposition of Her Majesty's Government to every proposal for effective action.

And here I wish, my Lords, to refer to one observation which fell from the noble Marquess opposite on the first night of the Session. He said, have you thought out, have you spelled out for yourselves what coercion means? It means, he said, the bombardment of Stamboul, and nothing else. Now, I am not going into that subject, but I wish distinctly to say that I have thought out the meaning—all the possible meanings—of the word coercion, and that I wholly dissent from the dogma of my noble Friend that it means nothing but the bombardment of Stamboul. I have a distinct and clear opinion that if Europe had been really united—if you had used your best endeavours when it was possible to unite Europe upon just and moderate proposals, giving security to the inhabitants of Turkey, and yet not seriously interfering with either the independence or the integrity of Turkey—if you had brought Europe, as you might have done, to act together for the purpose of imposing your will upon Turkey, there are more ways of coercion than one—there are more modes than two, or three, or six, by which you might and would have brought Turkey to her knees, and the whole of this terrible danger to Europe might and would have been avoided.

Now, my Lords, I wish for one moment to revert to the impression that was left upon many minds, and I confess upon my own, by the speech of the noble Earl the Secretary of State for Foreign Affairs on the first night of the Session. It was not so much anything he distinctly said in so many words—it was the general tone and drift of that speech which gave me the impression that his disposition now is to wash his hands of the whole affair—to say we have done what we could for the inhabitants of Turkey; the Turks have rejected our advice; we have announced to them that we will leave them to their fate; we have nothing more to hope and nothing more to say. My Lords, I do hope I have put an erroneous interpretation upon that speech. I must say that I think it would be in the highest degree dishonourable if, having publicly declared through our Envoy at Constantinople that we thought it our duty and our interest and our right to procure some protection for the Christian inhabitants of Turkey, we should now give up those declarations, abandon those claims of right, and say we have nothing more to say to the matter.

My Lords, the noble Marquess opposite asked me if I had analyzed the meaning of the word "force." Let me ask him if he has analyzed the meaning of the language held by his own Colleague when he said that the result of the noble Marquess's Conference at Constantinople was to reduce the demands upon Turkey to so small a point that it was evidently not worth fighting for. Has he analyzed the meaning of that argument? I understood the noble Marquess, when he spoke of the *minima*, that these *minima* were still sufficient for the protection of the Christian people of Turkey—barely sufficient, but that they were sufficient, and that being sufficient, he accepted them. But, my Lords, if they are sufficient, and if nothing short of them is sufficient, and if you cannot trust the promise of the Turk—and no one has said that more clearly than the noble Marquess—then, I ask, why were they not worth fighting for? If your demand was a real and not a sham demand for the good government of Turkey, then all the duty, all the obligation, to which you have confessed regarding it, lies upon you as a duty and an obligation still.

Now, my Lords, I wish noble Lords opposite clearly to understand what the Question is of which I have given Notice, because it has been absurdly misrepresented out-of-doors. It has been said that I wish to force the hands of the Government, and to know whether they are to go to war or not—whether they are to use coercion or not—that I wish for a declaration of their policy in principle and effect. My Lords, I have not asked that; I think I should have no right to ask it. It is a question which no Member of an Opposition has a right to ask of any Government, and I trust noble Lords opposite will keep the future in their own hands. They have already sacrificed the future far too much—they have declared what they will not do and what they will do. I wish them to keep their own counsels. My Lords, what I ask is this —"Whether you have under consideration any measure for the fulfilment of the promises which you have made to the population of Turkey, or do you mean to abandon them altogether?"

My Lords, before I sit down, I trust that the noble Earl opposite (the Earl of Beaconsfield) will allow me to make a personal appeal to him. He is at the head of one of the most powerful Governments which this country has ever seen—he has the confidence and affection of his Party, and he has their entire and devoted allegiance in a manner and to an extent which few Ministers have ever enjoyed. My Lords, at one time in the course of this year the noble Earl gave public intimation—otherwise I should not feel myself at liberty to refer to it—that it was his desire at no distant day to retire from the fatigues and cares of his great office. That, my Lords, is an intimation which never fails to arouse sympathy and interest of all. In the generous contests of our public life we have no private grudges and no personal enmities. The noble Earl will retire when he desires to do so with the affection of many around him—of young men whom he has encouraged on their entering into public life, of older men whom he has led against all hope to victory and success. But, my Lords, the noble Earl will not retire—if ever he does retire—with any better wish from any one of these than the wish which I shall give him, and it is this—that when he looks back to this

Government, of which he is the distinguished head, he may be able to say that he has wielded the great influence and power of England for the purpose and with the effect of procuring some measure of tolerable liberty for the Christian subjects of Turkey, and that in procuring that measure of tolerable liberty he has secured it on such conditions as will guarantee them for the future not only against the odious barbarism of the Turks, but also against the crushing autocracy of the Russian Czars. My Lords, the Question I have to put to Her Majesty's Government is, not what measures, but whether they have any measures in contemplation for the fulfilment of the promises which they have held out to the people of Turkey to protect them from further cruel oppression?

THE EARL OF DERBY: My Lords, no man who has listened to the speech of the noble Duke, whatever may be his opinions on the question at issue, can fail to admire its eloquence and power, or to respect the sincerity and obvious earnestness which have inspired the address we have just heard. I have listened to that speech with no desire to complain of the course taken by the noble Duke. I think that the condemnation he passed upon the policy of the Government is not borne out by the facts of the case; of one thing, however, I am glad — that the noble Duke should have taken the earliest opportunity in his power to bring this question before your Lordships' House. It is not possible for any new arguments to be brought before your Lordships on the part of the Government. Our case has been already laid without reserve before Parliament and the country in the Blue Books, and I have no new facts to offer. I have only such explanations to give as would naturally suggest themselves to the candour and judgment of any fair-minded man who reads the Papers on your Lordships' Table. It is, I need not say, a satisfaction to us, who are responsible for the conduct of affairs, that after a long period of vague criticism and of unfriendly comments and of charges to which it was impossible to reply, and which it was sometimes even difficult to understand—it is satisfactory to be able to meet face to face the charges of inconsistency, vacillation, and change of policy which have been made against us—to feel assured that we know all that can be said, and that there can be no other accusation in reserve against us. I shall, I think, discharge my task best if I attempt to follow the noble Duke through the proceedings to which he referred. The noble Duke began by an observation from which I take leave to dissent. He said that the Instructions to my noble Friend, which he took as the foundation of his remarks, were intended to accomplish two objects—first, the improvement of the internal administration of Turkey, and next the maintenance of European peace. I agree that these were the two objects which we had mainly in view, although as a matter of style I should have put the maintenance of the peace of Europe as the first and most important. And the noble Duke went on to assert that in both these objects we have failed. Now I do not want to repeat the remarks I made a few days ago; but I must again ask your Lordships whether it is not a little too early—whether it is not a little premature—to talk of the action of the Government and of the proceedings of the Conference at Constantinople as having failed in accomplishing both these objects. It cannot yet be said that the peace of Europe has been broken: nor can it be predicted with certainty that no improvement in Turkish administration will result from the Conference. Changes and improvements of a fundamental character in the administration of any country cannot be made in a day; nor can it be said, because the particular scheme recommended by the Conference has not been adopted, and because the desired guarantees have not been conceded by the Porte, that the Turkish Government have a fixed purpose to reject all internal reforms. The noble Duke contends that the failure of which he speaks was owing to two causes—one being the policy which Her Majesty's Government pursued until August, and the other the feebleness and faintheartedness with which they followed up their policy when they entered upon a new course. I do not admit either the failure or the reasons assigned. I do not want to go into detail, but I must observe that when this charge of a change of policy was advanced by the noble

Earl (Earl Granville) the other night I endeavoured to meet it. I said that so far from leading the Turks, at the time of the rejection of the Berlin Memorandum, to believe that we were willing to fight for them, we announced as early as the month of May last year that the course we should pursue was of an entirely different character. I stated then, and I repeat it now, that in that respect there had been no change in the policy we adopted. Of course, I admit that we have been obliged to modify in some respects our course of action as circumstances themselves have altered. This is a change which every Government must have gone through that has been placed in similar circumstances. Any one who has filled a responsible post must know that every Government is called upon to alter its course in certain cases; and it was only natural that at a moment when there was imminent danger of an European war we should be willing, in order to avert that war, to do some things, and to accept some things which we should not have done nor accepted if there had been nothing more in question than the suppression of a petty, local insurrection. The noble Duke has referred to a speech that I made more than 12 years ago—in the year 1864—and he seemed to contrast the language I then held with the action of the Government of which I am a Member. I do not mean to suggest as an excuse that the language of anyone in a position of irresponsibility and speaking of questions of policy in an abstract manner must necessarily be very different from that which would be held by a person responsible for the conduct of affairs, though something might be said for that view of the case. But what was it, after all, that I said in 1864, and that is so contrary to our present position? I said that the Turkish Government was in a very bad way; and I am afraid that there can be no doubt upon that point. I said it was a mistake to support that Government in such a manner as to make ourselves enemies among those subject Christian races who were before many years likely to become the dominant races of the Empire. I do not know after 12 years' experience — part of the time at the Foreign Office— that I have anything to retract in the speech I then made, although I may have been a little too sanguine in the expectations I then formed as to the future of the Christians of Turkey. We have always held that the Turkish Government could only be maintained by the amelioration of its internal administration. That language has been used by ourselves and by our predecessors since the year 1856, and from that language we have never swerved. I mentioned Egypt and Constantinople as the two great points in which English interests were concerned in this Turkish question, and I say the same now. Where, then, is the inconsistency? The noble Duke, in referring to the Treaty of 1856, said he hoped he would hear nothing more of the independence of the Porte. I agree with my noble Friend the noble Marquess when he said at Constantinople that "independence was a very relative term." In all parts and in all ages of the world a State which is not able to protect itself is exposed to the dictation of stronger neighbours, and that may have been the case with Turkey; but I do not think that the instances to which the noble Duke referred as showing our disregard of Turkish independence helped him much. He quoted some language held by Sir Henry Bulwer long ago; but whatever that language may have been (and it is new to me) I do not see how the use of it bears upon anything done by the present Government. He referred to the action of the Government in the affair of the Salonica massacre. Ours was, of necessity, a secondary part on that occasion. The French and German Consuls had been murdered. Their Governments took the matter up; and with a view of keeping the peace and preventing matters from going to extremities by excessive demands on the part of those Powers or by undue resistance on the part of the Porte, we directed our efforts to bring about a peaceable settlement of the matter. I do not see that this showed any disregard of Turkish independence. We should have taken the same part in the case of any quarrel between European States, where we had a hope of being able to mediate with effect. The noble Duke referred to a remark of mine that we might be bound to protect the Turkish Empire from murder, but it was no part of our duty to protect it from suicide. He seemed to found on that remark an argument that I claimed the right to interfere with the independence of the Turkish Government. So far from that, my language pointed to an exactly opposite conclusion. If I had intended any interference in the internal affairs of Turkey, the language which I should have used would have been, not that I would not, but that I did undertake to guarantee the Porte against suicide. The noble Duke has spoken with great severity—perhaps in language somewhat over-coloured — though I am not prepared to say with entire injustice of the administration of the Turkish Provinces; but when he enlarged on the opportunities of improvement which Turkey has had he went a little too far. He said that during the last 20 years Turkey had been enjoying peace and perfect tranquillity; but the fact is that during that time the Turkish Government has had two serious insurrections to put down; and, though it has had an unlimited supply of European capital, unfortunately that supply of capital has done more harm than good, for very little of it has been expended in the way of improving the administration and developing the resources of the country. Coming to more serious matters, the noble Duke finds fault with the course we adopted at the first outbreak of the insurrection in Herzegovina. He said, substantially—"I can understand your saying that we have nothing to do with it; but I do not understand your taking part with the oppressors against the oppressed." But what are the real facts with regard to that matter? In the first place, I observe, in passing, that there is not a single fact connected with that rising in Herzegovina which was not known to the noble Duke and to your Lordships when these matters were discussed last year, and it is rather late to go back to transactions which have already been under the notice of the House. The noble Duke says—"You entreated the Turks to put down the insurrection." My answer is, it was in its origin a petty local disturbance, and as far as in the circumstances of the time any human judgment could foresee certain to end in the failure of those who promoted it and to bring about a useless loss of life. It was only, I believe, owing to the excessive apathy and indifference of the Turkish authorities that it was allowed to grow into a serious matter. The noble Duke himself admits that nothing can justify insurrection where there is not a reasonable hope of success. If that be so, and if the judgment of the matter which I formed at the time was what I admit it was, I do not think there was anything unreasonable in what I said. What we looked to, and what was more important than the merely local question, was the danger which might ensue to the Empire and ultimately to Europe if disturbances of this kind were allowed to go on. What occurred might have ended in a general disturbance of the peace of Europe; and was it unreasonable to say that Europe had an interest in its suppression? No doubt when you put down an insurrection, force is one element of pacification; but it is not the only element, nor the main element, and it is not fair to quote words written and spoken by me as if it were to be implied that we had been doing nothing but press upon the Porte the duty of suppressing an insurrection by force. It is quite true I frequently warned the Austrian Government as to the manner in which Austrian volunteers were crossing the frontier and entering Herzegovina. If Austria from the beginning had not professed to stand altogether neutral and to take no part we should have had no *locus standi* in making these representations, and I assuredly should not have made them. But recollect what was the position of Austria at that time. Austria professed a sincere desire to see this insurrection brought to a close. It was with that view that at her instance the Consular Commission was issued and the Andrassy Note was framed. Was it unreasonable or was it not—was it a breach of neutrality, or justice, or fairness to the two parties concerned —that we told the Austrian Government, as we did—"It is of no use your making diplomatic efforts to put down this disturbance or resorting to Consular Commissions, so long as your own people keep it alive, and your own officials, seeing all this, allow them to do as they please?" As to sending back refugees to the frontier there to be murdered, I can only say that the impossibility of referring at the moment to the despatches renders it impossible for me to follow the remarks of the noble Duke; but assuredly no advice was ever given by Her Majesty's Government to send back refugees where personal danger to those so sent back was probable. I cannot at the moment ascertain what it is to which the charges of the noble Duke would point when he speaks of cutting off allowances to starving people. It is possible that allowances made to help the refugees in their distress were diverted to improper purposes and appropriated to the purchase of arms and the support of military operations; and, if so—though I have no recollection of the transaction referred to—I cannot see that there was any objection in pointing out that as a breach of neutrality. The noble Duke ridiculed the idea of our looking for Russian influences or Russian agencies for the cause of these disturbances when ample cause was to be found in the maladministration of the country. I say nothing as to the action of the Russian Government—it is not my duty or my wish to go into that question; but if I affirm that local residents officially connected with the Russian Government were among the most active agents in stirring up these disturbances and assisted the insurgents in various ways, I only state that which is perfectly well known, which can be abundantly proved from the Blue Book, and which I do not suppose the Russian Government would deny. The Russian Consulate at Ragusa was described to me as being the head-quarters of the insurgent chiefs, and when one of the most noted of them was killed in the course of the campaign, the Russian Consul General attended the funeral with every public mark of respect and sympathy. The noble Duke can hardly contend, in face of the published evidence, that Russian influence had nothing to do with these disturbances. The noble Duke then went on to speak of a change in our policy about August or September. If he meant that those lamentable occurrences in Bulgaria, when they became fully known, exercised some influence on our judgment of the situation, he says that which no human being would dispute, and which I have not the slightest wish to deny. That such massacres should have taken place, though confined to one district, undoubtedly shows a degree of feebleness and a want of controlling power in the central Administration of Turkey which was beyond what we could reasonably have supposed to exist. And if in the autumn of last year we adopted a system of interference more active and pronounced than we had done before the Bulgarian outrages, they may to some extent have influenced our course, but the influence which they exercised was altogether secondary, and the main cause of our action was this — that Servia, as we know, had joined in the fight, that the Servian Army was almost entirely composed of Russian volunteers, and that, as a consequence, Russia was in fact, though not in form, in the field. Every Servian defeat was felt in Russia as a Russian defeat, and the danger was that the feeling in that country would become excited until a war with Turkey was inevitable. That was the imminent danger which, in the interests of Europe, we were bound to consider. The noble Duke then went into the long and complicated series of negotiations which ended in an armistice and a Conference: and in doing this the noble Duke only followed a large number of persons in ascribing to the Government a change—hardly a change of policy, but a change of procedure—that never occurred. The fact is, in the first instance, we asked for a suspension of hostilities; but the Turks, whose military affairs were then prospering, were not unnaturally reluctant to stop. They were willing to grant a truce for a few days, but had a strong objection to its being longer than was absolutely necessary. Russia thought that was not sufficient, and desired an armistice for a definite period. There was absolutely no question at the time of an armistice of two months being too short or six months too long. What we were endeavouring to obtain from the Turks, and what they were unwilling to concede, was the granting of an armistice for more than a few days. We asked for one of not less than a month or six weeks, and the Turkish Government replied by offering one of six months — or more accurately, at that time one of five months and a few days. We accepted that offer as being what we had asked and a little more. And I must say I never was more surprised than when I heard that complaint having previously been made of the former suspension of hostilities as too short, the Russian Government had now changed its ground and objected to that armistice as being too long. By pressure on the Porte Russia succeeded in obtaining an armistice of two months. But it is curious enough that in the result the original proposal was justified, because the Turkish armistice has been extended from two to four months, with the probability of a further extension, which will bring it to the term originally fixed. Then the noble Duke said the Turks proposed a long armistice, without a Conference; you were for a short armistice followed by a Conference, yet you gave up your own plan and accepted theirs. The fact is, we never gave up the idea of a Conference at all; we simply postponed it for the moment, our first object being to stop the fighting and prevent the extension of the war; and we naturally thought that when that object was secured there was no danger of our not being able to bring about the Conference. That is what the noble Duke describes as a policy with no backbone in it, and which he contrasts with the more manly policy of Russia. But the result is the test: we gained our object, and that quite irrespective of the shortening of the armistice by Russian agency. Then came the mission of my noble Friend (the Marquess of Salisbury) to Constantinople. I entirely agree in the just compliments which the noble Duke paid to my noble Friend; but he says the mission of my noble Friend was foredoomed to failure because we stated to the Turkish Government that we did not intend to enforce our demands. I will come to that bye-and-bye. The noble Duke then touched on the question of the preliminary Conferences held without a Turkish plenipotentiary being present. He said the course which my noble Friend adopted combined the inconveniences of both forms of Conference, and either that the Turkish Representative should have been present all through, or should have been altogether excluded. Well, our feeling was that it was more friendly, more courteous, and, if I may use the expression, more respectful to the Porte—which may be allowed to have something to say on its own affairs — that the Turkish Representative should not be called to attend those preliminary and informal meetings at which the details of intended reforms were discussed until they were in a state to be submitted to the Turkish Government. It would have been putting the Porte into a false, if not an absurd, position if the head of their Foreign Department as one of the Members of the Conference, concurred in arranging the plans which were afterwards to be submitted to the Government of which he was a Member, and to be received by him in his capacity of a Representative of that Government. There was no intention at any time that the scheme of the Conference should be peremptorily imposed on the Porte and accepted or rejected without the opportunity of fair consideration. It has been stated that the plans proposed to the Turkish Government were considerably modified from what they were when first submitted to the Conference, and the noble Duke has referred to a mysterious telegram expressing the gratitude of the Porte, in reply, as he supposes, to the intimation which I had made to the Turkish Government, that we did not intend to coerce them. Now, I am not quite sure to what that telegram refers, but of one thing I am sure—it does not refer to this question of coercion. It could not do so, for I had taken good care that all with whom we had to deal should know what our intentions were in going into the Conference. I do not wish to read long extracts from these despatches, but there is one addressed by me to my noble Friend, from which I may be allowed to make this extract. It is dated January 8, 1877—

> "The Turkish Ambassador left with me on the 24th ultimo the telegram from Safvet Pasha of which I enclose a copy. His Excellency did not inform me of the text of the communication from him to his Government, of which mention is made in it. I noticed subsequently the expression used in the telegram that, 'the Sublime Porte counts more than ever on the friendly support of Her Britannic Majesty's Government in the difficult circumstances through which Turkey is passing.'"

I was a little surprised at the expression, for I was not aware of anything having been said to give rise to it; but I was anxious that no misunderstanding should exist. The telegram goes on to say—

> "Being anxious to avoid the possibility of any misconception as to the line of policy followed by Her Majesty's Government, I addressed a private note to his Excellency reminding him that in an unofficial conversation which had passed between us on the 19th ultimo, I had informed him that although Her Majesty's Government did not themselves meditate or threaten the employment of active measures of coercion in the event of the proposals of the Powers being refused by the Porte, yet that Turkey must not

look to England for assistance or protection if that refusal resulted in a war with other countries. I added that this language, which had been held by me again on subsequent occasions, represented the settled decision of the Government, and that I ventured to repeat it in writing as it was very important that the Sultan's Ministers should be under no misapprehension, and should clearly understand that they must not expect from this country any support in resisting the arrangement now offered to them."—[*Turkey*, No 2, p. 182.]

["Hear, hear!"] Am I to understand from that cheer of the noble Duke that the policy which he supports points to this—that if the reforms of the Powers were not accepted by the Porte, we should proceed by the union of all the European Powers to enforce them on Turkey? I can only say if that is the policy he would recommend, such is not the policy of Her Majesty's Government. My Lords, I came prepared for the discussion of that question of coercion if the noble Duke had gone more fully into it. If the noble Duke or any other Member of your Lordships' House desires to raise it, as applicable to our present policy, I should be prepared to justify the language I hold. I should be prepared to show that coercion is unmeaning, unless it means war, and that war would be fraught with every possible danger to the peace of Europe. I do not enter into that question now, because the noble Duke has not raised it in so direct a form as to justify me in discussing it. The noble Duke says, You have told us what you will not do; but he has abstained from putting the question which naturally follows. Now, tell us what you will do. That, my Lords, is a question which no man in my position can be expected to answer, We have to consider the disposition of other Powers and the possibility of success in any undertaking we may propose. But I may say that ever since the proceedings of the Conference have closed we have not been inactive. We have pressed on Servia and Montenegro the extreme importance of making peace with Turkey with the least possible delay. What may be the effect of our efforts in that direction a few days will show. If peace is made, one half at least of the object of the Conference will have been accomplished. There remains, of course, the question of internal reforms. As to that I am not prepared as yet to express a definite opinion. But I was much impressed by a suggestion thrown out by Midhat Pasha during the Conference, that the Porte should have a reasonable time allowed to consider what had been suggested and to work out its reforms in its own way; and if within that reasonable time, whatever it might be, nothing was done, he considered that, so far as he was concerned, the Powers would have a right to demand guarantees. But we are now only at the beginning of the Session, and whatever we do or whatever we propose to do for the next five months will be subject to the criticism of Parliament. As we do not yet know what the other European Powers may do, it is not in my power to make a more explicit statement at present. The question of peace or war between Turkey and the Principalities remains still unsettled. If there should be war, I fear that complications may arise which would materially affect the result. If there should be peace, then we shall be free to deal with this question of internal administration and internal reform; and I think your Lordships will admit that the natural course in any country is peace first and reform after. No country can re-organize its administration when it has something like half a million of men under arms watching against invasion, and when its finances are strained to the utmost for the purposes of war. Under such circumstances a beginning may be made; but it can hardly be more than a beginning. It may be reasonably asked by any country intending to work out a plan of reform that there should be at least a possibility of successfully doing so. Time and peace may be fairly asked by the Porte to work out its plans, but without peace there can be no hope of success. My Lords, all I can say at present is that, as I need hardly assure you, I shall be at any time ready to communicate in this House, with the utmost frankness, all the information which the state of affairs may permit.

THE DUKE OF WESTMINSTER said, he did not conceive that there was any need to offer any defence of the share he had taken in the St. James's Hall Conference, nor did he propose to do so; but he might venture to say that that meeting was entirely constitutional, and that it was perfectly competent for those who attended it to discuss passing events. He admitted, at the same time, that while negotiations of a serious and difficult character on an important question of foreign policy were pending, every consideration ought to be shown to the Government of the day. At the time of that meeting, the 8th of December, the public could only move on the lines they then had. Those lines were furnished by the despatches in the Blue Book from the beginning of January of last year to the end of July, and the speeches of Ministers, especially those of the Prime Minister. There was one point in a despatch of the Secretary of State for Foreign Affairs of the 19th of May which guided the meeting as to the position taken up by this country towards Turkey. In that despatch, No. 278, Lord Derby said—

> "The Government cannot conceal from themselves that the gravity of the situation has arisen in a great measure from the weakness and apathy of the Porte in dealing with the insurrection in its earlier stages, and from the want of confidence in Turkish statesmanship and powers of government shown by the state of financial, military, and administrative collapse into which this country has been allowed to fall. The responsibility of this condition of affairs must rest with the Sultan and his Government, and all that can be done by the Government is to give such friendly counsel as circumstances may require."

When the language thus used was compared with the speeches of the Prime Minister—especially with the speech at Aylesbury—the meeting and a large party in the country thought that much stress could not be laid on that despatch. There was another despatch of a more decided character, but they were not known at that time. Then came the speeches of the Prime Minister—particularly that at Aylesbury on the 21st September. The Prime Minister then said—

> "It would be affectation in me to pretend that the Government is backed by the country. The opinion of a large party in the country would, if carried out, be injurious to the interests of England and fatal to peace."

And yet that policy was afterwards fully adopted by the Government; but at that time the policy indicated by Ministerial speeches was the only policy known to the country. While on this subject and on the speech of the Prime Minister, he would direct the attention of the House and of the noble Earl to words used by him on the same occasion, and understood to refer to no less a person than Mr. Gladstone. He went on to say—

> "The danger at such a moment is this, that designing politicians may take advantage of such sublime sentiments [alluding to a righteous enthusiasm] and may apply them for their sinister ends. I do not think that there is any language that can denounce too strongly conduct of such description. He who at such a moment would avail himself of such a commanding sentiment in order to obtain his own individual ends, to a course which he knows, which he may know to be injurious to the interests of his country, is one who cannot be too strongly condemned. Such conduct outrages the principle of patriotism, it injures the common welfare of humanity in the general havoc and crime it may accomplish, and may be fairly described as worse than any of those Bulgarian atrocities of which we have heard so much."

He (the Duke of Westminster) would not have ventured to refer to that language, but that it had been quoted by Mr. Fawcett at the meeting as directly affecting the reputation of Mr. Gladstone. He was bound to say that if it had been known on the 8th of December that the policy of Her Majesty's Government in the first stage had given way to the policy of the second stage no Conference would have been held. It seemed to him that it was a matter of great importance that there should have been less reserve on the part of the Government, and more confidence shown in the country; especially as the noble Earl the Foreign Secretary had said that he wished to know the will of the country with regard to its conduct towards Turkey. An eminent Member of the Government, however, had stated that the country knew nothing at all about foreign affairs. Then, with regard to Mr. Gladstone, a gentleman in the other House who, it was said, had been offered a seat on the Treasury Bench, speaking at Lincoln, said—

> "It filled him almost with despair when he saw such a man, so able, one who had served his country so long and so well as Mr. Gladstone, so indifferent and so recklessly careless and, apparently, utterly unconscious of the very first principles which ought to govern and guide the conduct of every statesman."

Now, it was said that it was a most audacious and barefaced thing for the Conference at St. James's Hall to have assumed the title of "National," seeing that it by no means presented a national character; but he might say that had the room been ten times larger there would have been no room for Conservatives, and the policy it represented turned out after all to be the policy of the Government, who had adopted the national sentiment of the country. He might say that Mr. Gladstone had nothing whatever to do with the meeting at St. James's Hall, except that a few days before he was asked to attend it. And surely it was very hard that such language as he had quoted should have been used towards one who had served his country so long and so well. The second stage of the policy of the Government might be said to be over. The Conference was at an end, and seemed to him to have failed indisputably. A contrary opinion was expressed by some persons on the ground that various Powers of Europe had come to an agreement as to what ought to be done. But what ought to be done had not been done, and no means were taken to make it done. Why did the Conference fail? The Government made it a point to uphold the independence and integrity of Turkey. Notwithstanding, they proposed measures in the Conference directly affecting that independence and integrity. In his opinion these were very proper measures, and not half strong enough. The noble Earl (the Earl of Derby) talked of a petty rebellion in the Herzegovina. Surely the noble Earl could not forget that longing for independence among the population which found vent in every tradition and ballad for 400 years past. The noble Earl could hardly forget these things, and it seemed strange therefore that he should call this a petty revolt. The Government, however, proposed to interfere materially with the internal affairs of the Provinces. These proposals were rejected by the Porte as an interference with its independence and integrity. There was ample warning previously from Sir Henry Elliot that this was likely to be the case; but no measures were taken to coerce the Porte; on the contrary, the Government declared over and over again against the policy of using force. An elaborate measure of reform was constructed for these Provinces, but Her Majesty's Government would not apply the necessary motive power. Now, he thought the country was entitled to know why coercion was altogether inadmissible in this case, seeing that this was the only plan by which the Turks could be brought to reason. The noble Earl said that coercion meant war; but he (the Duke of Westminster) thought that joint coercion on the part of England, Russia, and Austria, not reckoning France, might have hindered any war, because such a display of force would have brought the Turks to reason. What had prevented this use of force? Was it fear of infringing the provisions of the Treaty of 1856? It could not be that the Treaty of 1856 prevented the use of coercion, because it would have been possible to raise the point with the other Powers and have revised the Treaty as in 1871. In 1863, when there was a proposal to convene a Congress of the Powers to revise the Treaties of Vienna, Lord Palmerston, in a letter to the King of the Belgians, said these Treaties were still in force and formed the basis of the existing arrangements of Europe; and he added—

> "Before we can come to any decision about the proposed Congress we should like to know what subjects are to be discussed, and what power it is to possess to give effect to its decisions. If a majority were one way, and a minority, however small, the other way, that minority including the party by which a concession was to be made, is it intended that force should be used or is Congress to remain powerless to execute its own decrees?"

As everybody knew, the proposal for a Congress fell through; but Lord Palmerston's words were applicable to the late Conference. Would the Government be able to shelter themselves much longer under the Treaty of 1856? It had been already broken by the Turks themselves, and as many persons in this country affirmed, would be shattered in pieces before very long. Events marched through Treaties, as was shown by the rapid formation of the Kingdom of Italy and the war between Germany and France. In both these cases the Treaties of Vienna fell to the ground. After all, what had the Treaty of 1856 done for the world, and what had the Ottoman Empire done for Europe? The Duke of Wellington, in a quotation which was read last week in "another place," said in 1829—

> "The Ottoman Empire stands not for the benefit of the Turks, but of Christian Europe —not to preserve the Mahomedans in power, but to save Christians from a war of which neither the objects could be defined, nor the extent nor the duration calculated."

But had the Ottoman Empire saved the

Christians from the losses and sufferings of the war of 1854? Had it saved them from the rebellions which had occurred in some of the Turkish Provinces, would it save us from the future war which was likely to occur? Had it given us peace and good government in the Christian Provinces of Turkey? Russia now held a very different position from that which she held in 1828-9, and again in 1854. Then she had her own quarrels to settle with the Porte. Now, she had both her own quarrels and those of Europe. She proposed to do our work and her own also. If the Government succeeded in preventing Russia from going to war, how would they deal with the unfortunate Christian subjects of the Porte? Would the Treaty of 1856 save us from war? He believed that Russia would move, and judging from what she had been able to do before, she would eventually find herself in possession of Roumelia. Looking at what might happen, he thought it only right that the Government should state what their course would be. The collapse of the Ottoman Empire was not likely to be far off, and on the whole there were many persons who thought that that would be a very good thing. The Duke of Wellington, speaking of the Treaty of Adrianople in 1829, said—

> "There is no doubt that it would have been more fortunate for the world if the Treaty of Peace had not been signed, and if the Russians had entered Constantinople, and if the Turkish Empire had been dissolved."

The Duke of Wellington thought that in such case the Five Powers would have entered into an engagement as to the disposition of Turkish territory, and that there would have been an assurance that the crumbling of Turkey would lead to no war, and to no such territorial accession to any State as would alter the general balance of power. He believed that many persons in this country would not be sorry to see the dissolution of the Ottoman Empire. The reforms conceded by Turkey might answer their purpose for a time, but after a time there was too much ground for supposing that they would lapse altogether. In conclusion he hoped, though he was not sanguine on this head, that in the future stages of the Ministerial policy, the whole country might be able to coincide with the Government.

The Duke of Westminster

LORD STANLEY OF ALDERLEY said, that he would not follow the noble Duke who spoke first through all the exaggerations of his speech, but he sincerely hoped that no more speeches in favour of coercion would be addressed to the House, for if any event such as Navarino were to take place, it would almost certainly be followed by an insurrection in India. The circumstances were now changed since Navarino, and made the danger greater, for at that time the whole of India was not under the British rule; there were not at that time either steam or telegraphic communications, and Sultan Mahmoud, from his innovations with respect to the Army, had lost the confidence of the Mussulman world. Violent speeches such as that of the noble Duke (the Duke of Argyll) a few nights ago, when pronounced by one who had been Secretary of State for India, would have a most dangerous effect, and were almost criminal. It might be that the noble Duke pinned his faith on the assertions of Sir George Campbell that the Indian Mussulmans did not care for the Ottoman Empire; but as Sir George Campbell was a personal Friend of his, and he had known him for more than 25 years, he should not be supposed to intend any discourtesy to him when he said that upon this particular point his opinion was of very little value, because in the earlier part of his career Sir George Campbell was employed in Ajmir among the Rajputs, and later in Bengal, where as he was too high an official, he had little or no opportunity of becoming acquainted with the feelings of the Mussulmans. When the noble Duke pleaded the right of insurrection, and incited subjects to rebel, it might be urged in extenuation of his language that Sir George Campbell had written in a widely circulated pamphlet, that whilst all the Christian Churches had preached subjection to the powers that be, the Scotch Church alone had taken an opposite course, and embraced the cause of freedom. The noble Duke opposite (the Duke of Westminster) who presided over the St. James's Hall Conference, and who appeared to believe everything that was related by the apostle of impalement (Canon Liddon), had denied that the revolt in Herzegovina was not a petty revolt, because the people there had preserved for 400 years ballads in favour of independence. Now, excepting the Poles, the Slavs possessed only one epic poem, the "Osmanita" of Gundulich, the poet of Ragusa, which was in praise of Sultan Osman. His reference to the Duke of Wellington's despatches was also unhappy, since those despatches published this morning in *The Morning Post* justified the conduct of the Government, and showed how factious was the Opposition. It appeared to be thought that the statement that Mr. Fox opposed Pitt and obtained for the Russians the cession of the fort of Otchakoff was an argument in favour of now supporting the ambitious designs of Russia. But the conduct of Mr. Fox in sending Sir Robert Adair to Russia to thwart Mr. Pitt's national policy had been considered not only as factious, but also as bordering on treason. And to state that he did so, only proved that "*Vixere fortes ante Agamemnona*," or that there had been other factious leaders of an Opposition before Mr. Gladstone.

THE MARQUESS OF BATH: My Lords, I do not rise to say whether or not the Government were half-hearted in the performance of the duties which they took upon themselves to maintain the peace of Europe and give security to the Christian inhabitants of Turkey: it is sufficient that Her Majesty's Government have acted in unison with the feelings of the country, and have shared the horrors experienced at the outrages committed by the Turks, and have recognized the insupportable character of the Turkish rule, and the little reliance which can be placed upon Turkish promises. The Government carried out those views in laying down the basis of the Conference, and in conjunction with the rest of the Powers had sought a remedy against the evils of Turkish misgovernment. The Conference has failed; but it has not failed for want of knowledge or devotion on the part of the noble Marquess (the Marquess of Salisbury) to the task he undertook: and I am bound to admit that, so far as the despatches enable us to judge, he has received the hearty and loyal support of his Colleagues. But the reason for the failure of the Conference, and the reason why the Turks rejected the proposals made to them, are not far to seek. In the first place, the Turks never believed that the European Powers would act together; and, above all, they did not realize the fact that the Government of England was in earnest on this question. We can also see, without much difficulty, why they distrusted or disbelieved in the sincerity of the English Government. Although the Turks are a half civilized or semi-barbarous race, they are by no means devoid of shrewdness and intellect, and when they read the accounts of the speeches that were made in public by supporters of the Government, almost up to the very last period at which the Conference was holding its sittings, and when they read the articles in the newspapers, which were supposed to be acting in the interests of the Government, advocating the interests of Turkey as if they were the interests of England, and defending the Turkish Ministers as if they were English Ministers, the Turks naturally came to the conclusion "there was a screw loose somewhere," and that the noble Marquess had not the full support of his Colleagues. There was another cause why the Turks were inclined to doubt the earnestness of England, and that was the unfortunate announcement of the Government in August that coercive measures were not to be used, and that moral suasion alone was to be employed. Now, I never knew that moral persuasion was good for anything unless it was to be backed up by something material. The Turks are quite intelligent enough to know how little value is to be placed on arguments so expressed. Another source of encouragement to the Turks in their resistance to the proposals of Europe, was the presence of Sir Henry Elliot at Constantinople. It is impossible to reconcile the policy advocated by Sir Henry Elliot as given in the Blue Books with the policy which was advocated by the noble Earl (the Secretary of State). When I look at the despatches of Sir Henry Elliot, and when I read the most remarkable addresses which were delivered to two deputations on his departure from Constantinople, I find it utterly and entirely impossible to reconcile the language of Sir Henry Elliot with the arguments which the noble Earl so sternly and so strenuously impressed upon the Porte. But the question which we have to consider is what is now to be done; and this is far more important than any criticism which can be offered on the past. Sir Henry Elliot speaks in his dispatches of the of the good feeling existing between the Turks and the Christians; but we have in the Blue Books the full complaints of their wrongs. Then there are the Greeks, whose unfortunate jealousy of the Slav populations affords Sir Henry Elliot so much pleasure, complaining of what is proposed to be done for the Bulgarians. We were told again by Mr. Baring who is borne out in his Report by almost all the Consuls, that the Turkish tyranny in the Provinces is insupportable, and that where there is Turkish rule there must be discontent and oppression. The people of Bulgaria are described as being driven into silence by terror or suffering, and the people of Bosnia preferred dying by hundreds, either of fever or hunger, in the maintenance of their opinions rather than accept Turkish fraternity. It is true the Porte has promulgated a Constitution; but what importance is to be attached to it remains yet to be seen. The noble Earl who has addressed us to-night spoke on the opening night of the Session as if he expected reforms to be made voluntarily by the Turks, and as if importance was to be attached to the promises of Turkey; but he must know perfectly that in years past reforms have been promised by Turkey which have never been carried into effect, and he must know how valueless anything she says will be if it is not accompanied by guarantees. The noble Earl spoke of peace as being of the first importance. Well, only let it be a peace which shall give security to the Christians for their lives and liberty. The question arises—Are matters to remain as they are, and are these people to be left in the condition in which they are described in the despatches? Are they to remain until Turkey puts an end to their miseries by further massacres, or a change in European politics enables some Power to advance to their rescue? I do not think they will have long to wait. The sympathies of the people, the solemn pledges of the Emperor, and the feelings of a kindred race and common faith must force Russia to act, and then the question is, When Russia interferes what policy is it incumbent on this country to pursue? I am happy to think there seems to be little chance for any statesman in England to force us into war for the maintenance of Turkish power or rule. But if this country remains neutral in a war between Russia and Turkey what will happen? There will be fresh massacres and fresh miseries and sufferings for the Christians as well as the Turks. If Russia were successful, the settlement of the question would be left with her, and the whole power of protecting English interests would, at any rate, be much diminished, and Russian power would increase. Where such a state of things would end it is impossible for any man to foretell. There are other elements of danger in Europe beside the Eastern Question. There is another Power more aggressive than Russia awaiting its opportunity. Do not believe that it is merely the ill-disciplined and ill-officered troops that are the only difficulties which check at this moment Russian advance. These difficulties can be overcome, and by Russia they must be overcome, but I do not think the outcome will be very conducive to the peace of Europe. Now, if this country, instead of pursuing a policy of neutrality, goes in cordially with Russia or any other European Power in coercing the Turks, and forcing upon them such an alteration in their internal administration as may give contentment to the people and security to the peace of Europe—if this country is prepared to do that, if a war is not altogether avoided it will be, if it arises, of very short duration. The Turks cannot contend at the same time with a Russian army and an English fleet, and such a course would leave them still open to take such measures as the interests of England required for resisting Russian aggression. For the interest and honour of England, in the interest of the peace of Europe, and in the interest of common Christianity itself, it is wise that this country should not remain passive, but should take such measures as would at the same time protect her own interests and do justice to the feelings of outraged humanity.

LORD CAMPBELL: My Lords, the noble Marquess who has just sat down (the Marquess of Bath) has revealed with an astounding frankness the programme of those who wish to invade the Porte for the advantage of its subjects, and who have in the noble Duke from whom the Motion came so prominent a Leader. Whatever may be thought of the course the noble Duke has taken, or the language he has used, to one kind of praise he is entitled—the praise of absolute consistency upon the Eastern Question. The noble Duke has not frequently addressed the House or other audiences upon it. He made a speech during the Cretan Insurrection which he appears to have entirely forgotten, together with the events which drew it forth; as he maintained to-night that the Sublime Porte since the Crimean War had been enjoying absolute repose. That speech is said to be remarkable for its declamatory eloquence ; but it provoked the severe censure of the late Lord Derby, who had as Prime Minister to notice it, on the ground that it was calculated, proceeding from a quarter so authoritative, to promote the fall of the Ottoman Empire, which could not be conveniently replaced. Last autumn the noble Duke joined an agitation—and I agree with him that public meetings upon foreign questions may be occasionally, although they cannot often, be excused—an agitation of which the avowed tendency was not only to coerce the Porte, but to dislodge it. On the 8th of February the noble Duke electrified mankind. Your Lordships, as he explained, being an "European housetop," when he rises to address you by the statement that all insurrections against the Porte are justifiable, no matter what their object or their origin; and that the Sultan is not entitled to the allegiance of his subjects. And here one cannot help remarking how consummate is the wisdom, how deep the statesmanship to which men may gradually arrive if they are only long enough surrounded by a Council. The mind of the noble Duke, extensive as it is, could not alone have seized a truth so hidden and so priceless. To-day, the noble Duke comes down to explain that Great Britain ought to go to war with a Power she is bound by Treaty to defend. These four speeches might all be brought together. Their harmony is perfect. But I am not convinced that their author will be accepted as a fair exponent of Liberal opinion on the subject, or as an organ of the Party which Lord Palmerston directed in the path of reforming and upholding that Empire, which the noble Duke may possibly destroy, but which after the language he has held he retains a slender prospect of ameliorating. There seem to be but two considerations urged in favour of a policy so violent. One that the Porte has assumed an indefensible position in resisting the last suggestions of the Conference; the other that unless coercion of some kind happens, the labours of the Conference are sterile, while it is incumbent on the State to render them productive. It would not be convenient now to approach so large a question as the policy or impolicy of what the Conference agreed in finally maintaining. The vindication of the Porte has been delivered in a shape the most official and elaborate—it has been delivered in their Circular of the 25th of January. Has the noble Duke replied to it? I am not aware that he alluded to it. There never was a State Paper more entitled to attention, in point of dignity, of moderation, and of argument. Those who do not take the trouble to confront it, have no kind of *locus standi* against the Power whose conclusion it defends. As to the second point, admitting that the labours of the Conference were bound to be productive, they may easily be shown to have been far less sterile than the noble Duke imagines. They did much to prevent the occupation of Bulgaria, which hung over Europe as a menace in the middle of the autumn. Their influence no doubt advanced the measure of the Turkish Constitution. Besides, they brought about—although without design—an interregnum of diplomacy upon the Bosphorus. For this result alone the noble Marquess the late Plenipotentiary would be entitled to the lasting gratitude of the people whom he visited. To explain the impression thoroughly is not consistent with the reticence I should desire to preserve, in spite of rather opposite examples, but noble Lords can reason for themselves upon it and judge how far it is well-founded. Having alluded to the Turkish Constitution, I cannot help referring to a most extraordinary statement with regard to it, which during the Session has come from the Bench beneath, and which tends to give a pretext to that aggression on the Porte to which we are invited. It has been denounced as a political manœuvre, improvised to baffle the united delegates of Europe. To such a version I am not disqualified for giving an emphatic contradiction. During the autumn of 1875, when no Conference was meditated, the friends of

Midhat Pasha had resolved to advocate a system of this character. That distinguished man withdrew from office, because his programme of reform was then deemed unacceptable. It fell to my lot to approach him during his retreat, sufficiently to know that whenever he again directed public matters some kind of Constitution must arise to check the power of the Sultan. If no insurrection had taken place in Herzegovina, if we had never heard of an Andrassy Note or Berlin Memorandum, the set of men whom I allude to would some day have enforced the convictions they had gradually arrived at. The version I protest against is more extraordinary when it comes from men who aspire to be the Representatives of Liberal opinion in the country. Sympathy with nascent Constitutions, imperfect as they may be, untried as they must be, is among the permanent traditions of the Party. Such Constitutions have always been the object of lenient criticism, of prompt support, of generous encouragement among the Party from the days of Mr. Fox to our own. Those who now deride them and discredit them forget the essence of the school in which they call themselves the Leaders. I will not detain your Lordships, I rose only because the speech of the noble Duke appeared to me to be calculated to promote hostilities, unless on this side of the House it was in some degree resisted. The noble Duke demands aggression on the Porte. Might he not insist upon a war with Portugal? Portugal is not less ancient an ally. Might he not require an expedition against Belgium? We are but bound by Treaty to defend her. According to this system, when we have decimated our allies, should we proceed to act against our Colonies? Would a campaign against the West Indies be sufficient for the noble Duke; or would nothing less than a *coup de main* against the executive and Parliament of Ottawa content him? If Great Britain is to be arrayed against the Ottoman Empire, how soon may we expect a dangerous expedition from the North, of which the noble Duke would be the leader. These propositions are not much more violent than that which he have heard—and scarcely more irrational. If you really want to effect certain changes in European Turkey, the path is clear; the means are tangible before you. The British Embassy when properly restored has only to assert superiority to every other influence based on your fidelity to Treaties—which since Lord Stratford de Redcliffe left Constantinople it has never done—and there is not a single feasible idea in the Imperial decree of 1839, or that of 1856, or that of 1875, which may not be translated into practice. By going back to duty, you may reach the point the noble Duke would gain by moving forward to perdition. My Lords, in a few days I hope to bring before the House a Motion which aims at peace as decidedly as that of the noble Duke aspires to a rupture. I venture to engage the noble Lords who are opposed to me to deliver their speeches now, and those who think as I do to reserve them to the time when they may influence your Lordships.

THE EARL OF KIMBERLEY: My Lords, I trust I shall not be deemed presumptuous in addressing your Lordships' House on this question, inasmuch as I held a subordinate position connected with the Foreign Office during the Crimean War, and it was my lot to be sent to Russia to watch over the execution of the Treaty by which it was concluded. I am anxious to say a few words, because I wish to place the question upon the basis of the general policy of this country in the East. I agree with my noble Friend who opened this discussion (the Duke of Argyll) in his horror and detestation of the atrocities that have been committed in Bulgaria, and if that horror and detestation could be increased it would be by the cynical Memorandum of the Turkish Minister, which I have read with disgust. But however great and just the influence of these feelings has been on public opinion in this country, we must judge this great question mainly with reference to our permanent interests in the Levant. English interests in the Eastern Question are great and abiding, and are not to be affected by passing events, however shocking. I may be, perhaps, somewhat old-fashioned in my views, but I hold the doctrine that it is the interest of this country not to be indifferent to a change which would throw the Turkish dominion into the hands of any European Power. Next to Egypt we have, I think, the greatest interest in Constantinople, which ought not to be allowed to fall into the hands of any preponderant Power, for that would impair our position in the Mediterranean and might threaten the security of our communication with India. But while holding these views, I must say that while our interests are abiding, and the ends to which our policy must be directed remain the same, the means must be changed from time to time as the circumstances and conditions of the Levant alter. Now what I think may be charged against Her Majesty's Government is that they have not evinced an adequate perception of the change of circumstances and have been too slow, to adapt themselves to the new policy required. We have no need to turn our back upon our old policy in the East, of which the most typical representative was Lord Palmerston, who, while he steadily maintained the independence of Turkey, strenously urged on the Porte to reform its administration and secure justice and good treatment to the Christian population. Lord Stratford de Redcliffe also was unsparing in his denunciation of Turkish misrule, and resorted even to what was sometimes called "bullying" to obtain his ends; and Lord Stratford was succeeded by Ministers who pursued a similar course, upholding the independence of Turkey while endeavouring to secure the reform of its Government. In this respect the policy of this country has been consistent—namely, on the one hand to uphold the integrity and independence of Turkey, and on the other to improve the condition of the Christian subjects of the Sultan. It appears to me that the question the Government had originally to consider was whether this was a question of intervention or non-intervention. Talleyrand said he did not believe in the existence of what was called a policy of non-intervention, because a country would change its policy whenever its interests required it. You cannot lay down a fixed rule either for intervention or non-intervention, but must adapt yourselves to circumstances; and it seems to me the Government did not, from the first, form a clear and distinct idea whether they would adopt an intervention or a non-intervention policy. The impression produced by reading the Papers, confirmed by the speech of the Foreign Secretary this evening, is that the Government thought at first that it would be better to abstain altogether from interference, fearing that they should only promote the designs of Russia if they took a decided part. In regarding the insurrection as a petty outbreak, it seems to me that they overlooked the serious elements and the seeds of future disorder which were recognized by other statesmen, whose apprehensions were fully expressed in the Andrassy Note. If the Government had appreciated the fact that the circumstances of Turkey were such as to require energy and promptitude, there would have been less risk of what the noble Earl (the Earl of Derby) called a petty insurrection, resulting in a general war. Sir Henry Elliot, in his despatches laid down in the plainest manner the right of interference—and in mentioning Sir Henry's name I must say I think he has been hardly used in these discussions. I have read his despatches with great interest, and, as far as I can judge, he appears to have done his duty faithfully to the Government, and to have dealt with considerable ability with the delicate matters with which he had to deal. The matter appeared to have presented itself to the Government at that time as one in which it was not necessary for them to interfere; and so it went on until the Berlin Memorandum was submitted, and that appears to have been a turning point in these transactions. I am far from saying that the Government ought to have accepted the terms of that Memorandum; but instead of entirely rejecting it, they should have made some proposal of their own, and thus have taken the opportunity of placing this country in the foremost place; and I believe there would have been no indisposition on the part of any of the Powers fairly to consider any proposition emanating from the English Government. Unfortunately, it chanced about this time that the English Fleet was sent to Besika Bay. The noble Earl (the Earl of Derby) has given us the assurance that the Fleet was sent there for the protection of the Christians and with that assurance I am perfectly content; but the coincidence was unfortunate, for the Turks imagined that the Fleet had come to give them protection against the demands which might be made upon them by the other Powers. Then there came the change over the minds and councils of the Government. I do not make that a matter of reproach—I do not blame them for the change which came over their councils — it came about naturally and at a very opportune moment. They were applied to by the Prince of Servia for their good offices in procuring an armistice, and they took the plain, distinct, and direct course—they applied to the Porte for an armistice; and if Sir Henry Elliot had been instructed to use a little stronger language he would, no doubt, have succeeded, without allowing Russia to have the credit of obtaining it. Then they made the proposal for a Conference. The noble Earl the Secretary of State tells us that the Conference has not been unattended with satisfactory results, inasmuch as, on the one side, Turkey has gained a respite, and, on the other, the demands upon Turkey have been so minimized that they are much more easy of acceptance. But, on the other hand, it has given Russia time to complete her warlike preparations. However that may be, I wish to point out that in agreeing to this Conference it would have been wise to consider what should be done in case the proposals made by the Conference were entirely rejected by the Porte. When it comes to such a formal demonstration as a Conference, I think the dignity of the Powers requires that you should have some definite notion of the manner in which the proposals you have to lay before the Power, whose affairs you are considering are to be enforced, in the event of your proposals being rejected. As it was, the Conference had only the motive power of Russian arms behind it, and it was therefore doing what the Crimean War was undertaken to prevent—namely, giving Russia the position of the only Power to interfere authoritatively in the affairs of Turkey. The Government might have foreseen the possibility of failure, and that it might be necessary not to exclude from consideration the possibility of their taking part against the Porte. In these despatches there is a great deal too much of the contingent policy of inaction. If it is imprudent to announce a contingent policy of action, it is still more mischievous to announce a contingent policy of inaction, just as it is more difficult to prove a negative than an affirmative—there is declaration after declaration that in no case would they interfere, whereas the question of interference should have been left to be determined as the necessity of the case might require. These repeated declarations unnecessarily hamper your hands, and it was a great imprudence on the part of the noble Earl to heap up the repeated announcements that this country would not act either on one side or the other. I regretted to hear the noble Earl repeat some of those declarations again to-night. In my humble opinion our interests in Turkey might possibly require our active interference. It may not be at this moment advisable; but the statesmen who formerly conducted our policy would never have made such statements as those of the noble Earl as to non-interference. In 1827, Canning—no mean statesman—did not shrink from active interference in the affairs of the Levant. In 1841, although the intervention was directed specially to Egypt, Lord Palmerston did not shrink from it; and since the Treaty of 1856 was concluded, there has been distinct armed interference by means of the French troops in 1860. All these instances show that cases may arise in which force might be necessary. I find, in looking through the Blue Books, that none of the other Powers have made these contingent declarations. Neither Russia, nor Austria, nor Germany has made such declarations, and I do not see why England should have done so. At this moment, with the Russian army massed on the frontier, and the Turks also in a state of military preparation, I wish not to say anything which would imply a desire to embarrass the Government—they have a most delicate and difficult duty to perform: but I hope from what the noble Earl said this evening, that at all events he has not given up diplomatic activity—that he is not holding his hands—but that he is endeavouring in concert with the other Powers, even at the last moment, to bring Turkey to her senses. That he will be successful in doing so we cannot be sanguine. The mission of the noble Marquess (the Marquess of Salisbury) has been conducted with great ability; yet, notwithstanding that ability, it has failed. If the noble Earl is more successful, I shall be highly gratified; but I do not augur well of his success from what he said in regard to the Constitution which has been proclaimed in Constantinople. If I had wished for any argument to prove how vain were the hopes held out by that Constitution, I should not have desired to see them placed in a clearer light than in the despatch of the noble Marquess. I do not believe in the constitutional reforms of the Porte, though I believe that something might be accomplished if guarantees had been obtained by the Powers. But after 20 years' experience of the Porte, and looking to the bankrupt condition of the country and her statesmen, we cannot build much hope on the spontaneous efforts of the Porte itself. The course of events has been to throw the matter again into the hands of Russia, and to create a similar state of difficulty to that which existed before the Crimean War. I have no exceptional distrust of Russia, nor do I feel called on to place implicit confidence in her; but if the state of affairs in Constantinople is restored to what it was before the Crimean War, we may look to forward to such a complete upset in the whole condition of the Levant as will be conducive neither to the interests of this country, nor to the peace of Europe.

THE MARQUESS OF SALISBURY: My Lords, the speech of the noble Earl who has just sat down (the Earl of Kimberley) was marked by great judgment and moderation, and in that respect presented a marked difference to the speech by which the present debate was opened. But though there was much difference in the fervour of the sentiments and the moderation of the language of the two speakers on the other side, the principal difference in the sentiment appears to be this—the noble Duke (the Duke of Argyll) blames us for not coercing Turkey; the noble Earl is so far from blaming us for that—he blames us for not having said that we intended to coerce. Now, does the noble Earl think so meanly of the diplomatists of Europe, or even of the diplomatists of Turkey, as to imagine that they would not have seen through such a flimsy pretence. This country works in a glass hive—all the sentiments of its public men are well known; and if any doubt as to our policy exists while Parliament is sitting, Questions can always be asked, and during the Recess deputations can be sent to the Foreign Office; so that there is no possibility of concealing the sentiments of the Government. On any vital point of English policy secrecy is non-existent. Therefore, any attempt to conduct our negotiations, as the noble Earl indicated, in such a way as that while all the time firmly intending not to coerce, we should conceal that intention altogether from the world, would have been far beyond our honesty, and certainly beyond our power. Both the noble Lords, however, have shown a true appreciation of the real nature of this question, and the real origin of the difficulties that surround us, by going back to the policy of the Crimean War. There is no doubt that to the way in which that policy was carried out the difficulties we have now to contend with are due. I do not blame the statesmen of that day for not foreseeing what was to happen; but I say that we are now reaping the harvest which they then sowed, and that we have to bear the difficulties, and in some respects the odium, for which they are responsible. They attempted what, in the nature of things, was impossible to achieve. They endeavoured to prevent Russia from reducing Turkey to a state of dependence by means of assumed claims over a certain portion of the subjects of Turkey. That certainly was a pretension injurious to the interests of other Powers, and contrary to the policy of Europe. But that six European Powers should undertake the tutelage of the subject population of Turkey and exercise that tutelage, not only by remonstrances, but in case of need by united naval and military action, was a chimera which it is difficult to understand how any one who has studied the history of the world could entertain. The thing was impossible. It was a matter of absolute certainty that when it came to the test, and the six Powers had to carry out that policy, some of them for good reasons or bad, others from circumstances arising out of the state of affairs, would decline the task, and then the united tutelage of the six Powers would be at an end. In that case the position of things would be as my noble Friend (the Earl of Kimberley) said, not very different from what it was at the time of the Crimean War—that is, the real influence over Turkey would fall, as it necessarily must, to that Power which was prepared to fight on behalf of the subject races of Turkey. The problem which the Crimean War attempted to solve was an impossibility. That was the origin of all our troubles, and the attempt was made, not because Lord Clarendon and Lord Palmerston thought the time would come when the six Powers would have to march into the field to undertake the tutelage of the subject populations, but because they entertained an entirely false idea of the probable reform and progress of the Ottoman Empire. They indulged in an optimism which was perfectly pardonable at the time, but which has been belied by subsequent events—they thought that Turkey would reform herself—and long experience has proved that Turkey will not reform herself. But, my Lords, there is no break in the continuous responsibility of the Governments by which this country is ruled, and it is not open to any one Party or set of men holding office together to renounce the lines of policy laid down by their Predecessors, or treat past events as though they had not occurred. We, like the other Governments which came after the Crimean War, were bound to accept the consequence of that war, to accept the Treaty by which it was concluded, and to maintain the attitude and act in the spirit of those transactions which dictated it. In the Treaty of 1856, the intention of Turkey to reform herself was recognized in the most solemn manner, and each of the Powers for itself—I am not now speaking of their mutual obligations—guaranteed in the most distinct manner to observe the integrity and independence of the Ottoman Empire. That Treaty was signed by the Government of which the noble Duke (the Duke of Argyll) was a Member. Pass from that to the summer of 1875. A rebellion breaks out in the Turkish Empire. My noble Friend (the Earl of Derby) speaks of not fostering that rebellion and inviting sympathizers from outside to keep it up; and then he is denounced by the very men who signed the Treaty of 1856 as though he had committed some great crime, not only against international law, but against public morality. I acknowledge the difficulty that surrounds the Treaty of 1856—I admit how much events have modified the interpretation we are to put on that Treaty; but that at the beginning of these events it should be laid as a matter of blame against my noble Friend that he did not trample under foot a solemn guarantee into which his country had entered, and that that blame should have been levelled against him by one of the very Ministers who gave that guarantee was a very extraordinary circumstance. It was in the same spirit that the subsequent action towards Turkey was conceived. It soon became evident that the sanguine hopes of 1856 would not be realized, and that the exact attitude of this country towards Turkey could not remain what it was in 1856; but were we bound, were we justified in at once turning round upon our ancient ally, who had rested upon us so long and who had been encouraged by our acts and words? Would it have been just and straightforward in us suddenly to assume an attitude which would have been hard even on the part of Russia? If it was to be so—if the alliance was to be broken up—if the terrible events which took place within its borders were to have the effect of alienating the undoubted affection entertained by this country towards Turkey—surely it was our duty that we should struggle to the last against the change which forced upon us, at all events, a new and unexpected interpretation of a Treaty to which our country was pledged? Surely it was our duty to exhaust appeal, remonstrance, and exhortation? It was our duty to be the last of the nations to desert the cause which we had formerly maintained; and if you had taken any other course, the Turks, however low you may put their intelligence, however deep you think their guilt is dyed, would have had fair ground of complaint against this country. That principle is the explanation of our policy. We have changed, as my right hon. Friend (the Chancellor of the Exchequer) said in the other House, in the sense of the man who has put on his great coat in winter and taken it off in summer has become inconsistent. We have changed in so far as we were forced by the events and changing circumstances of the world; but we have not deserted our traditional alliance without hesitation and without sorrow; and we shall cling to the hope that some change may occur in the Councils of Turkey which may bring back that alliance into the same state that it was before. That, my Lords, is the reason why we went into the Conference—distinctly not as a preliminary to force, but as a means of peaceable persuasion. It necessarily followed, as the noble Earl (the Earl of Kimberley) has said, that Russia was the motive power of the Conference. That is not the way in which I should prefer to phrase it, but at the same time I do not absolutely deny that it is true in a sense. It is true that we went into the Conference first of all to restore peace between Turkey and Servia and Montenegro, and then to obtain good government for the Turkish Provinces; but undoubtedly we also went into the Conference to stop a great and menacing danger—namely, the prospect of a war between Russia and Turkey. This, then, being the evil which we came to avert, it naturally was in pointing out that evil that our moral influence on the Porte rested. We said to Turkey—"Unless you do this or that, this terrible danger, which may well involve the loss of your Empire is ready to fall upon you; we hope that our influence and advice may be able to avert it—indeed, we come here for that purpose—but we warn you that we shall accept no responsibility for the future if you treat our advice with disdain." Undoubtedly it was in this sense true that the fear of the result of a rupture of the Conference—the fear of a breach with Russia—was the motive force of the Conference. It seems to me, as it must to everybody else, that the refusal of the Turks is a mystery, for the infatuation of that course seems to be so tremendous. I observe that the wonder at their conduct has been very general, for all kinds of excellent and extraordinary reasons have been suggested to explain it. To myself it certainly appears that one of the causes which led the Turks to this unfortunate resolution was the belief which has been so sedulously fostered, I know not by whom, but by irresponsible advisers, that the power of Russia was rotten, that the armies of Russia were suffering from disease, that the mobilization of the army had failed, and that, consequently, the fear of war was idle. They counted upon every possible contingency. Their traditional policy had been to maintain themselves by the division of the Powers, and they imagined that the Powers would still be divided and that a general European war would save them. Still, with reference to the observation of the noble Earl, it is right to say that although it is true in one sense that the fear of the possibility of a breach with Russia was the greatest motive force which could be expected to operate on the Turks, yet there was no difference in the language of the Plenipotentiaries on the question of coercion. Of course, I did not use any threat of coercion; neither did the Ambassador of Russia. I do not think that from beginning to end I heard anything which could be fairly said to be a threat of coercion in case the Porte did not accept the recommendations of the Conference. That is, I think, a consideration of some importance. When questions of personal and national honour may have consequences more tremendous to human happiness than perhaps they ever had before, it is important that it should be on record that, at least, as far as the proceedings of the Conference went, there was not anything which pledged Russia to take military action in case the recommendations were not accepted by the Porte. Now, my Lords, the noble Duke (the Duke of Argyll) still blames us because we refused to follow up the rejection of our proposals by coercion; and when I tell the noble Duke that he has not rightly established in his own mind what coercion is, he meets it, as I fully expected, not only with a flat contradiction, but he tells me that what I suppose to be coercion is not the coercion he proposes—that the sending out of a fleet is not the coercion he suggested, and that there are half-a-dozen ways of coercion which are more effective and more desirable than that. I listened to the noble Duke with the most rapt attention, because that was the one solution which, reflecting in my own mind, I had been unable to attain, and I was anxious to learn from the ingenious mind of the noble Duke the other means of coercion that remained. But my expectations were doomed to disappointment. In this strange discussion the parts of Government and Opposition are entirely changed. The Government have been all candour. Their candour can be weighed in ounces. We have absolutely poured the records of our thoughts and proceedings on the Table of the House. But for the life of us we cannot yet get from the Opposition, which is usually so frank, because it is free from responsibility, any statement of their opinion or their desires. All through the autumn they have been longing for the meeting of Parliament—they have been urging that we should summon Parliament before the close of the usual Recess. The one thing necessary for their happiness was that Parliament should meet, in order that they might challenge the proceedings of an inhuman and detestable Government and bring them into accordance with the feelings of the people. Now Parliament has met, and butter will not melt in their mouths. We cannot induce them by any request, however humble and however modestly worded, to place on the Journals, in the form of a distinct opinion, the grounds on which they censure our policy and the reasons why they pursued us with every kind of vituperation their vocabulary contains during three long months. And now the noble Duke pursues the same policy. Our fault is that we did not adopt a policy of coercion. We say, "What is coercion?" "Ah!" says the noble Duke, "that is telling." The noble Duke is not going to be so indiscreet. He will blame us for not giving ourselves up to his word "coercion," but no force—not even wild horses—shall draw from him what the meaning of coercion is. Not having been able therefore to find any adversary to grapple with, I must again venture to remind the House what our position in respect to coercion is. Coercion is of two kinds. There is a real coercion when you take a man's arms and legs and make him do what you want him to do; and there is a moral coercion when you threaten to flog or to kill him if he will not do what you want him to do. The two Powers adjoining Turkey might exercise the first kind of coercion. They could pour their armies into the Turkish territory and make the authorities in Turkey do that which otherwise they would decline to do. That is the first and obvious and comparatively easy mode of coercion. The other four Powers of Europe have not that opportunity. Some of them, like ourselves, want a sufficient army, and others a sufficient navy, while all probably want sufficient money. The occupation of Turkey, I should say, would probably be within the reach of the two Powers, if any great national interest dictated such an occupation; but it could only be effected at a cost which nothing but the most vital national necessity could justify. The other four Powers are limited to coercion by means of fear. We can threaten to destroy Turkey; we can threaten to punish her, if she does not accept the proposition which we have suggested to her. I do not see any mode of threatening or punishing her so simple as by taking up a fleet to the Bosphorus, if not by burning down Stamboul; but I confess I should not look to the prospect with anything like equanimity. What should have we done when Stamboul has been burnt? We should have destroyed the only Government which now keeps some thirty millions of people in some kind of order. Are we prepared to take the responsibility of the government of these people? That would be a very grave responsibility. But then I am met with the statement that there is another mode of reasoning. It said that when our fleet is opposite Stamboul the Turks will immediately yield. Nay, some people are so sanguine as to think that as soon as the six Powers announced their intention of resorting to coercion the Turks would yield. Before I went on this mission it was said that they would yield when the six Powers announced that they had agreed on their recommendations. I was always very sceptical as to this. The noble Duke seemed to laugh at me for starting on a mission which was foredoomed to failure; but I may remark that I had a very strong belief that I would fail when I left the shores of England. I thought that the differences among the Powers were so great that the chances of coming to an agreement were infinitesimally small; but for the reason I have dwelt upon when referring to the Treaty of 1856, we thought it was the duty of the Government to exhaust every contrivance in order to bring the Turks to a sense of the danger of their position. We thought it was the duty of us all to assist in that endeavour. But I should shrink from being associated with a policy which trusted for its success entirely to the probability of the Turks yielding to threats. I should be sorry—I should shrink—from being associated with such a policy, not merely because the Turks are a very courageous race, but because the question of yielding is not in the hands of those who are the most deeply interested in the prosperity of Turkey. The Government of that country is entirely dependent on the strength and power of the Sultan. There is no aristocracy, there is no governing class, there is no organized democracy, there is no representative Government. There are two foundations only—Religion and the Sultan. The power of the Sultan is something which cannot here be discussed in great detail ; but it must be obvious that a Sultan who succeeds to two other Sultans who have been removed by revolutionary power in a few months does not inherit all the attributes and all the autocracy of his Predecessors. And the religion is in the hands of men who are largely responsible for those revolutions, whose sincerity and devotion to their country cannot be questioned, but whose ignorance of European affairs and all that statemanship implies, and of the political circumstances and prospects of their own country, is absolute and complete. You have nothing to appeal to. You appeal to the Sultan. He is afraid of revolution. You appeal to the Revolution. It has not the faculties to listen to you. Therefore, any Ministry which attempted the policy of coercion, as I have defined it—that is to say, any Ministry which went to Constantinople with the hope of producing good government there by sheer threats —must fail. I should not say that in the case of any country such a policy was a hopeful one—I should not say it was a policy sustained by the experience of the world as successful; but in the case of Turkey I should say it was foredoomed to certain and absolute failure. The noble Duke has practically made this point the turning point of his speech. When he asked us whether we were still pursuing the policy contained in my Instructions, of course he must well know that but one reply could be given. He must know that we shall pursue that policy as long as it can be pursued. Our policy is simply this—to try by all peaceable means in our power to induce Turkey to open her eyes to the danger which surrounds her, to awake from her infatuation, and give to the poor populations which have suffered so much some measure of liberty and safety for life and honour. But we do not yet despair. There can be no question that—I do not say it to his dishonour, for I do not doubt he was inspired by the most patriotic motives—the main adversary of the late Conference is the man who has fallen from power. It is fair that we should assume, until we know to the contrary, that the Sultan in making this change has been actuated by a desire to draw nearer to the wishes of the European Powers. At all events, it is open to us to cherish that hope. We feel that the destinies of Turkey are now in the hands of men who are not pledged as a matter of consistency and honour to any opposition to, at least, the substance of the reforms which we have tried to induce them to adopt. We hope that if the substance of these reforms is adopted there is no Power in Europe which will think itself either bound or justified in trying to cut this knotty question by the sword. Our efforts have not been wanting, and are not wanting still, to awaken the Turks to the danger to which they were so blind; because if this question once comes into a military phase—if once the Powers of Europe are assured that there is no hope of preventing a war in South-eastern Europe, and if once they have to decide upon the state of things that shall be so produced, there is every reason to fear that the very energy of the considerations which have induced them now to strain every effort to avert a war will rather lead them in the future to say "This question must be settled once for all, so that no future war shall occur." That is the danger—the tremendous danger—which threatens the Turkish Empire and which we hope to avert. It is still our hope that within the brief time—it may be—of respite, the Porte may be guided by wiser counsels, and in giving the barest rights to those who have suffered so long under its dominion, it will open an era of fairer hope and nobler prosperity to one of the most ancient Empires of the world.

THE EARL OF DUDLEY said, that in venturing to follow the noble Marquess, he must first observe that he had never heard it suggested that we should turn round upon those whom we supported and forget existing obligations. He thought the Government had taken a straightforward and consistent course, in admitting our position in reference to the Treaty obligations ; and no Government, whatever its home politics, could have taken any other course. England existed by Treaties, and if she wished to retain her influence in the world, it must be by showing that she was the first to respect Treaties. He was, however, sorry to hear the noble Earl say that it was not the policy of this country to resort to coercion in reference to Turkey. In his view their Lordships were not assembled their to review the conduct of the Government and to bring home to them any shortcomings in the past, but to ascertain what was to be the future of this great question. It did not matter whether the Government had been thoroughly consistent or not, or whether they had changed their policy—he held that they had done nothing of the sort, but had pursued a consistent policy up to the present moment; but he regretted that the Government had not insisted upon their Representatives in Turkey sending home the fullest information, and had not disclosed this information. If this course had been taken, and if the Government had been frank with Parliament and the country, all that was now being said in February might have been said in July. As it was, Parliament had separated without the information that was wanted and thus arose the demand for an autumn Session. It had been said that to hold an autumn Session would inconvenience everybody; but there were times when inconvenience was a matter of no moment. Why, then, was not Parliament called together in the autumn to settle this question? From first to last there had been a disinclination to look into the treatment of her Christian Provinces by Turkey, which was the main point upon which the nation was so deeply stirred. It had been stated in a recent pamphlet that Russia was the sole obstacle to the settlement of this question; and he agreed with this view, though not on the grounds stated by the writer. The reason why Russia had been an obstacle to a settlement of the question was that for years past there had been such an unfounded jealousy of her as to prevent anything like cordial co-operation between her and the other European Powers who were interested in the matter. He believed that if certain Provinces were removed from the power of Turkey and she were only allowed to exercise a nominal sovereignty, there would be no further difficulty. He could only attach one definition to the word coercion; and that was involved in the question of what should be done with a country which had refused assent to all the moral suasion that had been brought to bear upon it. Let Turkey remain as it was, if that was thought best; but do not let the Christian subjects of the Porte remain longer in the miserable position they had so long occupied among the peoples of the world. Turkey had done nothing to show that she had the least intention of changing her policy, and he had no doubt that in the event of any future outbreak among her subjects it would be suppressed with all the nameless horrors which had in former times been committed with the consent, if not at the instigation, of the Turkish Government. So far as he was concerned he should be satisfied if Her Majesty's Government went back to what the Berlin Memorandum proposed; and he regretted that they did not accept it at the time. If no further steps were to be taken after the way in which the Porte had treated the Conference, he could only say that diplomacy had received a check from which it could never recover. He doubted whether any of the Powers who had been parties to the Treaty guaranteeing the independence of Turkey would put their forces in the field to maintain the independence of a Power whose bonds were as worthless as their spoken words.

EARL GRANVILLE: My Lords, I have no doubt that the noble Earl opposite (the Earl of Beaconsfield), who the other evening expressed his impatience to meet the noble Duke beside me in debate, is wishful to encounter a foeman worthy of his steel; and I will, therefore, now address to your Lordships the few remarks I think it necessary to make, in order that the noble Earl may not have to speak at a late hour. At the outset I wish to make two admissions of a very commonplace character. In the first place, I wish to admit that the noble Earl the Foreign Secretary and his Colleagues have had a most difficult and complicated question to deal with; and, in the second place, I wish, while denying that they have a right to claim a monopoly of feeling in reference to this matter, to admit that they have been actuated not only by a desire for the honour and interests of this country, but also for its fair fame. At the same time, I must deny the right of the noble Earl to find fault with us for criticizing, by the light of more recent occurrences, a Blue Book which was published at a time of the year when it was most inconvenient for us to discuss the blots we found in it, and two months after the time at which there existed the least necessity for withholding it from publication. Something has been said about the change which has been made by the Government from their first policy. That change may have arisen from altered circumstances, or it may have occurred, as the noble Earl the Prime Minister very candidly said at Aylesbury, in consequence of the fact that the policy of the Government was not receiving the support of the country. At any rate, a change of opinion was effected, and I do not quarrel with Her Majesty's Government for having, in the first instance, followed the line of policy which resulted from the Crimean War, though, after the demonstration made by the noble Marquess opposite (the Marquess of Salisbury) of the folly and the impotent character of that policy, I am certainly surprised that his Colleagues not only followed generally in the same line, but strained it to an extent almost unprecedented. Putting aside the question of the public mind having been excited by the Bulgarian atrocities, they seem to ignore all the circumstances of misgovernment which had created a state of things in Turkey likely to lead to most dangerous results, and which could only be met by a hearty and energetic union on the part of the great European Powers. I rejoice in their change of policy; although, instead of being pursued with the zeal of converts, the Ministry have shown an amount of irresolution and indecision in carrying out the policy, which is, perhaps, not unnatural in those who lead a Party, many Members of which do not approve it. With regard to the construction of Treaties, I will not deny the claim for candour which was made by the noble Marquess opposite on behalf of the Government; but I must say that it was a strange kind of candour which induced the noble Earl the Foreign Secretary in writing to our Ambassador at Constantinople with reference to the Tripartite Treaty to lay it down that, on the one hand, we were bound at the call of any of our co-signatories to come to the rescue of Turkey, and, on the other, that it was impossible for England to obey the Treaty obligations. My object is to inquire whether it is not possible, even at this moment, to take steps to ascertain from the co-signatories to that Treaty whether by mutual consent we could not be relieved from such obligations as these. I do not wish to follow all the details which have been so deeply gone into already, and which were more or less answered by the noble Earl. I come at once to the particular Notice by my noble Friend (the Duke of Argyll) with reference to the Conference. I remember, when the noble Marquess was about to go, or had just gone on his special embassy, that the Chancellor of the Exchequer, in one of the numerous speeches he made in the country, stated that the noble Marquess had started with the full confidence of his Colleagues and of the country. I believe that with regard to the country that was perfectly true. But the Chancellor of the Exchequer stated that the noble Marquess had gone out with a full knowledge of the views of his Colleagues. Now, if the noble Marquess had not chivalrously made the assertion, I should myself have felt some doubt as to whether he would have accepted the mission had he anticipated all the difficult circumstances which attended it. It is remarkable that as early as November 12 he should have received a telegraphic message rather calling him to account for informing the Government only of the views of the Russian Ambassador, and not also of those of the other Plenipotentiaries—a very sharp reminder indeed that he was not to forget that he was to accept no propositions whatever, except for the purpose of referring them home. That must have made a considerable impression upon the noble Marquess as to the difficulties of his mission. Then, again, all the Press which supported the policy of the Government used language which I must say seemed to have been inspired, and inspired by the speech which was delivered by the noble Earl at the head of the Government at the Guildhall. Now, some allusions were made in "another place" to that speech, and what was the answer which the Leader of the House there made? He said that a wrong constrnction had been put upon it; that he could not remember the exact words, but that after the observations that had been made he had no doubt the noble Earl would hasten to give a full explanation of the statement he then made. Well, the noble Earl did speak, after those observations were made, but not one word did he say on the subject. I presume he was perfectly satisfied with the explanation that had been given by the noble Earl the Foreign Secretary. And what was that explanation? Also that the speech had been misconstrued, and that neither he nor anybody else who had heard it was aware that any offence to Russia was given in that speech. Well, but do your Lordships remember what that speech contained? The noble Earl (the Earl of Beaconsfield) once gave a lesson to a Liberal Foreign Minister. He told him that sarcasm was an ornament of debate and an admitted weapon of rhetoric, but that conciliation was the proper language of diplomacy, and that the manner of carrying an intimation to a foreign Power was not by a sneer. What did the noble Earl say? He turned into extreme ridicule the policy of the Russian Government; he boasted of the unlimited military strength of this country; and he sneered at a want of endurance in the military strength of Russia. This was the language used at the first party of the Lord Mayor, after the loving cup had gone round; and I cannot understand the noble Earl the Foreign Secretary considering that such language could not possibly be thought offensive by Russia. Well, as I said, that speech—made by the Prime Minister—gave a tone to the supporters of the Government, and it is, moreover, to be borne in mind that this speech was made at a most critical part of the noble Marquess's mission at Constantinople. When the Turkish Government refused the proposals made to them, the whole Press resounded with the highest approbation of the pluck and courage of the Porte; and one newspaper, generally favoured with early information, stated, in an article, which was printed in a peculiar type, that the noble Marquess was an impetuous nobleman, and had far exceeded his Instructions. It is somewhat extraordinary that when such language was used by the Press, and was commented upon by the whole of Europe, not one of the Colleagues of the noble Marquess at home should have found or even made an opportunity of publicly stating to us and to the world that such language as that was quite contrary to the policy of Her Majesty's Government. More than that—I never heard, in the whole course of diplomacy, of a step taken which was so calculated to be fatal to a mission such as that undertaken by the noble Marquess as was that set out in the two despatches which have been quoted by my noble Friend the noble Duke. My noble Friend quoted a message which was put into the hands of the Foreign Secretary by the Turkish Minister, expressing the immense gratitude of the Turkish Government. [The Marquess of SALISBURY interposed an observation which was not heard.] Well, those despatches were docketed in the Foreign Office, and I find that a most important phrase was omitted from the docket. It describes the despatch as being one in which the Foreign Secretary conveys to the Turkish Ambassador that this country will not help Turkey, but not a word does it say of the most important sentence it contains. My noble Friend says that it was under pressure that the noble Earl wrote this passage—

> "Being anxious to avoid the possibility of any misconception as to the line of policy followed by Her Majesty's Government, I addressed a private note to his Excellency reminding him that in an unofficial conversation which had taken place between us on the 19th ultimo I had informed him that although Her Majesty's Government did not themselves meditate or threaten the employment of active measures of coercion in the event of the proposals of the Powers being refused by the Porte, yet that Turkey must not look to England for assistance or protection if that refusal resulted in a war with other countries." — [*Turkey*, No. 2. p. 182.]

The complaint we make is not that, having adopted that policy, they should not have said something contrary to it, but that they should be so excessively candid that, at a very critical period of the Mission of the noble Marquess, they should have allowed the Turkish Ambassador to convey to the Porte that it had absolutely nothing to fear from us. The noble Marquess chivalrously undertook the defence of this step; but I must say, I think that if, when he left this country, he understood that the ground was to be so entirely cut from under any remonstances he might make or any pressure he might put upon the Turkish Government, his conduct at the Conference was not so sagacious as I had thought. If he had thought that, instead of joining the preliminary Conference—which the noble Earl told us was rather a mark of respect to the Turkish Government—a Conference held at Constantinople, and from which the Turkish Representative was excluded — instead of using the strong and frank language which he did on all occasions to the Sultan and his Ministers, I think his only chance of arriving at a satisfactory result would have been to take an exactly different line — to have stepped into the shoes of Sir Henry Elliot, and, as far as the honesty of his nature would have permitted, to have shown the greatest sympathy with the Turks, and avoided anything likely to excite their feelings. My Lords, I do not know whether you will allow me to illustrate this now. In both Houses of Parliament attacks were made on Her Majesty's late Government in reference to their Black Sea Treaty. One point was that the Emperor of Russia declared that he absolved himself from certain conditions of that Treaty—conditions which have been attacked in this Parliament, but for which it was thought, and rightly, that a very efficient substitute might be provided. Austria, France, Italy, and Germany had previously declared to the Emperor that the provision was one which ought not to exist. That was a very delicate matter to deal with, as it was said that the declaration of the Emperor had been couched in such a manner as to appear offensive to this nation and to the rest of Europe. Well, the noble Marquess knows very well that a great deal of important business is transacted outside the Council Chamber. I have no doubt that in audiences with the Sultan and Members of the Turkish Government, as well as in private communications with the Representatives of other Courts, matters as important were discussed as any which were considered at the Conference; and with respect to the Black Sea Conference, I had to meet one of the most acute and sagacious diplomatists I have known—Prince Gortchakoff. His object was quite clear from the first—it was to make me commit myself. He wished me to state what our course would be if the Russian Government did give the assurance we required, and on the other hand to state what would be our course if they refused. My answer was the same thing every day—that I would not say one word, or give any hint of the future until I heard a retraction of that declaration. But now, if in the middle of that conversation I had told Baron Brunnow—"You may communicate it confidentially to your Government by telegraph, that whatever your answer may be, we will not quarrel with you," do you think that that retraction would have been given in the same ample and satisfactory manner? And do you think that if, instead of the noble Marquess, an angel from Heaven, with ten times, and more than ten times, his ability, sagacity, and his earnestness, had come down, it would have been possible to persuade the Turk to agree to anything if he had been told there is not the slightest fear of any consequences? The noble Marquess says that the real thing that changed the Turk was a false report, spread about intentionally, that the Russian Army was attacked by sickness.

THE MARQUESS OF SALISBURY was understood to say that the report was not intentionally inaccurate.

EARL GRANVILLE: That report, it was said, influenced the Turks, and I verily believe it. As soon as the Turk heard that he had nothing to fear from the person who was really in earnest, and that he had nothing to fear from us, he naturally resisted any further concessions. I do not know anything more creditable to the private history of a man than that the noble Marquess should have come back from the Conference and have received the increased, instead of the diminished, respect and esteem of his countrymen. The answer I obtained, on the opening of Parliament, to a nearly similar Question to that put by the noble Duke, was that when a person advises a friend and he rejects his advice, his friend's only course is to wash his hands of the matter and let it drop. That answer was, I think, somewhat modified by the subsequent speeches in this House, and the Leader of the Government in the other House said that the policy of the Government had resulted in the sincere agreement of all the Powers of Europe and a determination towards concerted action. If the Government policy was really that of washing their hands of the whole thing and seeing what would happen, it is impossible to doubt that one of two alternatives would happen—either that Russia would advance alone and engage in hostilities such as were described by Mr. Canning 50 years ago, as hostilities of which no prudence could prescribe the range, and of which no man could foresee the possible consequences; or that, on the other hand, a peace would be made exactly of that character described by the Leader of the Government in "another place" as no peace at all, but mere patchwork—a piece of sticking-plaster placed on a festering sore. In such a case what would you have to rely upon? Her Majesty's Government have said—and it is the only declaration they have made—that they will not join in coercion against Turkey. I will not enter unnecessarily upon the question of coercion, but really the noble Marquess held language with respect to coercion from which it is to be inferred that first of all he believed coercion must ensue, and next that coercion would be resisted. I totally disbelieve it. What is there in the history of Turkey to lead us to suppose that a State which has never resisted any single Power whatever unless supported either directly or indirectly by some other Power, would dream of resisting the whole of Europe combined when really in earnest and coming forward with moderate proposals? When the noble Marquess talks of the only means of coercing the Turks being the bombardment of Constantinople, I think that is a perfect chimera. Why, no less a person than the Duke of Wellington was ready to consent to a joint military occupation of the five Great Powers, rightly rejecting Mr. Canning's proposal that England and Russia alone should do it. What is more—a military occupation has occurred in our own time, and was quite successful. And therefore to put the almost impossible contingency of our being obliged to exercise coercion, and when it came to the point being without means to carry it into effect, is surely trespassing a little on the credulity of your Lordships. After the statement of the noble Earl this evening, and still more after the statements of the noble Marquess, it is clear that the Government have not adopted a "washing-our-hands" policy. I sincerely rejoice at it. The noble Earl seemed to attach some value to the promises of Midhat Pasha. He was a very remarkable reformer, but the noble Marquess tells us this evening he was the great obstacle to the reception of our proposals. I say that as to believing the promises of Midhat Pasha, or Edhem Pasha, or any other Pasha, I would refer your Lordships not only to the history of the Ignatieff Note, but also to the despatches of the noble Marquess *passim* as to the utter futility of such promises. As to the new Turkish Constitution, the noble Marquess has given us a very graphic description, from which I cannot help reading one or two sentences. The noble Marquess, writing to the Foreign Secretary, said—

> "The law of the Budget stands upon a special footing. It must be introduced at the beginning of every Session, and is voted, chapter by chapter, by the Chamber of Deputies. In this case the power of amendment is conceded to the Chamber; but, as no decision can be taken without the assent of the Ministers, this power has little practical value. If the Government desires to spend any money or to raise any revenue without the authority of the Assembly, and in its absence, they can do so, but a law justifying the proceeding must be presented in the ensuing Session. The Constitution does not say what consequences would follow in case the law of justification should not pass. Subject to the same undefined responsibility, the Government may, in the absence of the Assembly, issue a decree on any matter which they think it necessary to deal with, and (if it be not contrary to the Constitution) the decree has the force of law. The Chamber of Deputies may also pass a resolution to ask a question of a Minister; but this privilege, like others, is restrained from excess by a reservation. The Minister may postpone his answer if he thinks fit. The Ministers are declared to be responsible. Their responsibility consists in the provision that they may, if the Sultan thinks fit, but not otherwise, be tried by a procedure not yet determined on. Any doubt arising as to the meaning of any part of the Constitution is solved by the Senate, which is nominated by the Sultan. It is obvious that even if this Constitution were in operation among a people attached to liberty, and were practically worked by independent Representatives, it would have but a slender effect in checking maladministration and restraining the abuse of power. But there is no probability of the appearance of popular leaders who would work the liberties granted, such as they are, for the purpose of restraining the Government, for an unlimited power of exile is by a special enactment reserved to the Sultan, and any person exiled loses his seat as Senator or Deputy."

I presume that Midhat Pasha is at the present moment neither a Deputy nor a Senator. I do not, however, wish to press this. The noble Marquess goes on to say—

> "The portion of the Constitution which concerns the Chamber is elaborated with considerable care. The rest of its provisions only exist in skeleton. Many broad principles are laid down, but their execution is referred to laws which are not yet in existence or to 'règlements' which are to be issued by the Sultan. The appointment, qualifications, and jurisdiction of all functionaries, the constitution of Tribunals and the administration of the provinces, are

dealt with in this manner. It is, of course, impossible to forecast the character of the legislation which will be adopted upon these important matters. The dismissal of functionaries at their discretion is especially reserved to the Government. These observations will enable your Lordship to judge how far the Constitution can be looked upon as a Guarantee against maladministration or a restraint upon the excesses of arbitrary power."—[*Turkey*, No. 2, p. 303.]

If Her Majesty's Government really see their way to maintain peace, and if they really do maintain peace, it will be chiefly by the argument that Russia is going to war. If by any means a better administration of the Turkish Provinces can be secured, I am sure the Government would have the complete support of Parliament. The noble Lord was good enough to admit the other night that I had spoken temperately and with moderation. I should deeply regret on this occasion—although I have freely expressed my views on some subjects raised in debate as to the past conduct of the Government, and it would be quite unintentional on my part—if I have used any language which could in the slightest degree embarrass the Government, or make it more difficult to arrive at that result which with some confidence they have promised us this evening.

THE EARL OF BEACONSFIELD: My Lords, the noble Duke (the Duke of Argyll) has summoned us to listen to some Questions which he was going to address to us with respect to the conduct of the recent negotiations at Constantinople; but such is the clearness of his philosophic mind, and such the candour of his ingenuous disposition, that when he had concluded his able and interesting speech, he found, as a statesman, that he was not justified in addressing to us the Questions that he had announced, and I believe the noble Duke did not put one of the Questions of which he had given Notice.

THE DUKE OF ARGYLL: May I beg the noble Earl's pardon? I said the Question I put was different from that of which I had given Notice, having changed it on account of the misconstruction that had been put upon it in the Press; but I did put the Question.

THE EARL OF BEACONSFIELD: I am the last person to question the rights and privileges of an Opposition. Their duties and their privileges are both high. Practically speaking, they are now a part of the Constitution of this country. It is their duty to watch and criticise the conduct of the Ministry; and no doubt indirectly they exercise no slight influence on the Government. But I think, my Lords, that if the policy of the Government is impugned—and directly impugned—it is better some Motion should be brought forward by which we can enter completely upon the subject rather than have these, it may be, interesting but somewhat desultory debates which have occurred here to-night, and lately in other places. I understand—especially from the speech to which we have just listened—that the conduct of the Government is impugned, and the noble Earl (Earl Granville) is not the first who to-night has given expression to the same opinion. The noble Earl and his friends are of opinion that we should have coerced the Porte into accepting the policy which we recommended. That is not a course which we can conscientiously profess or promote; and I think, therefore, when an issue so broad is brought before the House it really is the duty of noble Lords to give us an opportunity to clear the mind of the country by letting it know what is the opinion of Parliament upon policies so distinct and which in their consequences must be so different. Let us for a moment take a broad view of what has been the situation and the conduct of the Government. We have been called upon somewhat unexpectedly to deal with the largest and the most difficult problem of modern politics. We have been called upon, as many eminent statesmen have been called upon before, to consider this—whether the Ottoman Empire could maintain itself; or whether, after long and sanguinary wars, its vast possessions might be doomed to partition, which probably might affect, without any exaggeration, even the fate of Empires. My Lords, the policy of Europe on this Question has been distinct, and is almost traditional. I say, absolutely, the policy of Europe, and not merely the policy of England, as it is sometimes described, has been this—that by the maintenance of the territorial integrity and independence of the Ottoman Empire great calamities may be averted from Europe, wars may be prevented, and wars of no ordinary duration, and such a disturbance of the distribution of the power as might operate most disadvantageously to the general welfare. The phrase "the territorial integrity and independence of the Ottoman Empire" has been frequently referred to to-night, and in language of derision. The noble Duke in his opening speech alluded to it, and questioned—scarcely supposing there could be a doubt about—the propriety of the phrase. Another noble Lord followed his example. But your Lordships will remember it embodies a principle which always has been accepted by statesmen; and the proof of it is seen that in this very Conference whose proceedings we are called upon to consider to-night, the basis on which my noble Friend achieved the great feat which has been admired by the noble Duke and his friends of bringing all the Powers to consent to this Conference was their recognition of the territorial integrity and independence of the Ottoman Empire. Therefore this is not a mere phrase of newspapers; but it is one used by statesmen in authority, and it has recently been used by statesmen in authority in these very momentous transactions which are now the subject of our discussion. I think there is some misconception as to the meaning of these words. By recognizing the integrity of a country you recognize the integrity of its possessions at the time that recognition takes place. It is often said, how absurd it is to maintain the territorial integrity of Turkey when Turkey has lost so many Provinces and so many kingdoms. What country is there that has not been equally unfortunate in this respect? England has lost Provinces—most precious Provinces—and was there any time, even at the signature of the Act of Independence, when any English statesman would have hesitated to come forward and maintain the integrity of the British Empire? Our gifted neighbours have recently lost two most valuable Provinces; but I believe there is no man in France who is not prepared to die for the integrity of the French Dominion. If I wished to carry the illustration further, I might point to Austria, who too has lost Provinces; but it would be astonishing if any one pretended it had no right to maintain the territorial integrity of its Empire. So, I hold, we should view the territorial integrity of the Ottoman Empire as a political and material fact. It may have lost Servia, Greece, the Danubian Principalities, and more than one kingdom in Asia; still it has the right to maintain its territorial integrity, and its territorial integrity as existing at this moment is a political and material fact. I come now to the question of the independence of Turkey. That is an expression considered to be entirely indefensible. There is a great misapprehension in that view. When we recognize the "independence of a country," it is that we contemplate in that country a durable sovereignty; and such a durable sovereignty is not impaired by any partial or limited interference with its sovereign rights. For example, the independence of Turkey was not affected by the occupation of Syria; and I maintain further, that the independence of Turkey would not have been affected if the policy recommended by my noble Friend at the Conference had been adopted. Take an illustrative case—a case not of remote times, but of this century and in the remembrance of our fathers. Take the case of Prussia. Prussia is one of the most powerful States in the world, certainly the most powerful State of the German Empire. Only at the beginning of this century Prussia was subjected to more humiliating conditions than ever were imposed on Turkey. Her strong places were occupied by foreign garrisons; her Sovereign was prevented exercising the precious privilege of enlisting his own subjects in his own defence—at least, in this respect his powers were so limited that they amounted to no importance; and yet the independence of Prussia was not lost by these passing circumstances. Therefore, I do protest that, in discussing these vast questions which involve probably, as events proceed, principles and consequences which may have a great influence upon the condition of this country and the destinies of its people, we do not too loosely adopt opinions which clearly have no solidity and substance in them. All the statesmen who have had to deal with these affairs have accepted and maintained and enforced the principle that we should uphold the territorial integrity and independence of Turkey as the best security for the peace of Europe. I will not advert to ancient Treaties. I will notice only those which noble Lords have mentioned in their speeches—those with which your Lordships are familiar. These are the Treaties of the Pacification of the Levant, the Treaty for the Regulation of the

Navigation of the Straits, the celebrated Treaty of Paris, to which we have so frequently adverted, the Tripartite Treaty, and the Treaty authorizing the re-entry of France into the European concert; all these Treaties acknowledge and completely recognize the principle of the territorial integrity of Turkey in respect of her actual possessions. Depart from that principle, and we leave the ship without a rudder in our discussions. What may happen in the future I pretend not to foresee, but at present Turkey is by Treaty a member of the European concert, and we must deal with her by the full recognition of her rights and our own. Well, what has happened since the celebrated Treaty of Paris that should make us doubt that this principle, which has been adopted by the most eminent statesmen of all Parties, is not a wise and just one? In 1862 you had in hand affairs of considerable difficulty with regard to Turkey, as you have at the present moment. There was a state of things very similar to the present. There was an insurrection in Herzegovina. It was stimulated, encouraged, and supported by a Prince of Montenegro; and the Chancellor of Russia, no less than the distinguished statesman who now controls the affairs of that Government, addressed the same complaints as we have recently received as to the conduct of the Turkish Government to its Christian subjects. There was much diplomatic correspondence on the subject. The noble Earl (Earl Granville) and his friends opposite were then in power. There is a despatch of Lord John Russell addressed to a gentleman whose name has been mentioned in this debate—Sir Henry Bulwer—in which Lord John Russell—he is a Member of this House, and I ought to call him by his proper title, but I had the honour and happiness of sitting with him for many years in the House of Commons, and I am apt to call him by the name he then bore—that eminent man expressed in a despatch which lies on the Table that, in the opinion of his Government, the revolt in Herzegovina was a conspiracy. He expressed himself on that head in uncompromising terms; and shortly after addressed to a noble Lord now sitting in this House, then our Ambassador at St. Petersburg (Lord Napier), a circular, in which those views were expressed at great length and with much fulness, and he declared that the policy of the Government was unchanged, and that was to maintain the territorial integrity and independence of Turkey as provided and secured by existing Treaties. There was some discussion in the House of Commons on the subject. It is curious that from a casual indisposition, which rarely occurred to him, Lord Palmerston was absent. He could not be present at the discussion, for which his great talents, knowledge, and authority were so adapted; but he was represented by one of the ablest men of the day—no less a one than the eminent Gentleman who was my predecessor in the post I hold (Mr. Gladstone). It fell to that right hon. Gentleman to speak on the subject, and he vindicated in 1862 fully and completely the views of Lord Palmerston, and he maintained those particular views which were founded on the real tradition of the territorial integrity and independence of Turkey. Therefore, so late as in 1862 we find that it was completely recognized by the noble Earl; and I apprehend that the noble Duke, who was a Member of that Government, must have given his no doubt cordial concurrence to that despatch of the noble Earl then Secretary of State. Then, in 1871, a memorable event occurred. The noble Earl who has just addressed us (Earl Granville) has spoken fully on the subject. Russia determined to violate the Treaty of 1856. The noble Earl questioned that right, and, I have no doubt, really doubted the policy of such a proceeding. A Conference was held in consequence, and the result of that Conference is known to every noble Lord now present. I have been astonished to hear of late the excuses that have been made for the conduct of that Conference, so far as the *laches* it committed in not considering the condition of the Christian subjects of the Porte. It was said recently that, from the peculiar accidents of the time, the Conference was a hurried business with a limited purpose, summoned to calk a leak, and no more.

EARL GRANVILLE: Was that said by any Peer?

THE EARL OF BEACONSFIELD: No; but by one of great authority—by my predecessor in office; and as a Member of the Government of that right hon. Gentleman I am sure the noble Earl will be ready to acknowledge his great authority. And yet I am sure the noble Earl would never sanction a statement that he managed his affairs in such a hurried, haphazard manner. Germany and France were at that time at war; but Russia and England were at peace and had time enough to attend to their proper business in a regular manner, and I have every confidence in the noble Earl to believe that he must have omitted no opportunity of doing his duty to his Sovereign, to his country, and to his own feelings, and did not lose the occasion given him by the revision of the Treaty of Paris in 1871. What I want to show is this—that the Conference of 1871 was not a haphazard transaction, but one conducted with due deliberation and caution by the noble Earl, as became his high character, experience, and position, and that everything must have been done on that occasion which was considered necessary for the interests of this country, and, I will say, of humanity in general. Look to the date of this hurried affair, as it is called. Prince Gortchakoff's letter which made this extraordinary announcement of an intended defeasance of the Treaty of Paris was dated October 31, and was communicated by Baron Brunnow to the noble Earl opposite on November 9, 1870, Lord Mayor's Day—an important day it would seem in Turkish politics. Now I trust that letter was delivered to the noble Earl after dinner, for it was a disagreeable one to have received before. That was November 9. The Conference did not meet until January 17; so that there was plenty of time for the more important business of the Conference, which we have been reminded just now by the noble Earl, takes place before its formal meetings. Two months elapsed before the Conference met, and two from the date of the Conference until it terminated —or four months since the letter was received—and there were several formal sittings. Now, can it be believed, if the condition of the Christian subjects of the Porte in 1871 was such or anything like such as has been now described, that the noble Earl and his Colleagues would have hesitated to probe the wound to the very bottom and to have seized that opportunity to obtain the necessary redress? That is the point. But then I am told that this was a hurried affair and necessarily not attended to with the requirements which so great a political question demanded. I must say I am under a different impression. The noble Earl will correct me at some time or other if I err; but I was always under the impression that at the Conference of London the whole *fasciculus* of Treaties was well considered by the noble Earl and his Colleagues. That the Treaty on the Straits was considered is a fact, because it was modified. I always heard that the Tripartite Treaty was taken into consideration, and it was considered whether the engagement should not be extended to other Powers. I do not see well how four months could have been employed about the Conference unless its acknowledged labours were such as I have intimated. Therefore I say that I have a right to believe that in 1871, when this important Treaty of Paris was revised and all the other Treaties connected with our relations with the Ottoman Porte were considered, the opinion of British statesmen had not changed, and that they were then still of opinion, and they expressed it in those revised Treaties, that the maintenance of the territorial integrity and independence of the Ottoman Empire was of vital importance to the interests of Europe. Well, so great an event as the revision of the Treaty of Paris could not pass without notice in "another place," and in consequence of some comments that were made, a noble Lord now a Member of this House (Viscount Enfield), who was then the able representative of the Foreign Department in the House of Commons, vindicated the conduct of his Government and that of the Turkish Government. He said—

> "The position of Turkey since the Crimean War had been ameliorated. Turkey had been able to equip, man, and hold a Navy which was in a creditable state of efficiency, and her Army was in such a condition as would enable her to hold her own against hostile visitors. The internal condition of Turkey had also improved since the Crimean War. The Danubian Provinces had secured autonomy, and the Christian population and subjects of the Porte were no longer as hostile to her rule as formerly."—[3 *Hansard*, ccv. 966.]

There was some controversy, and the Minister of the day rose and supported the noble Lord who represented the Foreign Office, and said that he perfectly accepted his view of the whole situation. That Minister was my predecessor. Therefore, as late as the end of the Session of 1871—in July, I believe—we find that what I may call the traditional policy of England was not changed—that to uphold the territorial integrity and independence of the Ottoman Empire was not considered an idle and obsolete policy. That was only five years ago, and, therefore, the views which now seem adopted respecting the condition of the Christian population of Turkey must have at least the charm of novelty for the noble Earl, because with his unrivalled opportunities and advantages for obtaining information the most accurate and authentic, the noble Earl did not consider it necessary for the Government of which he was a Member to take any action; and, indeed, in the other House of Parliament the conduct of the Turkish Government as to the condition of its Christian subjects was not only acknowledged, but eulogized. Well, then, I ask, what has happened since then to induce this change? That has happened since which curiously enough happened in 1862. There has been another revolt in Herzegovina, another stimulative action from the Principality of Montenegro, and fresh complaints from the Government of St. Petersburg of the conduct of the Porte towards its Christian subjects. Well, my Lords, I am here to vindicate the conduct of Her Majesty's Government upon that head. It is unnecessary to discuss the question as to our right of interference in the internal affairs of Turkey. That interference on our part was requested by the Porte. Appealed to, I maintain the conduct of the Government was a prudent and circumspect policy, and showed due sympathy with the distressing circumstances which were then brought before them. Those who would charge the Government with neglect of their duty in this respect utterly fail in their first step. They cannot deny that when we were appealed to to sanction the deputation of the Consuls to the insurrectionary chiefs with a view of terminating a sanguinary revolt we acceded—with, again, I am bound to say, the entire sanction of the Porte. Then it is said—"You did nothing. It is very true that you agreed to the Andrassy Note, but that Note really effected nothing, and there you stopped." It is very true that the Andrassy Note failed. I think it is not difficult to indicate the causes of the failure. I shall touch upon these points with the utmost brevity, because your Lordships are so familiar with them; but it is necessary on occasions like the present, when the Government has to meet charges, that our defence should be before the countries. Now the Andrassy Note was looked upon by Her Majesty's Government, I frankly own, as an injudicious move—it was essentially, in their opinion, an inopportune move. To attempt in a country like Turkey to carry out a social reform in provinces in a state of savage insurrection appeared to us to be perfectly idle. But we had to consider, in the first place, the request of the Porte that we would not withdraw ourselves from the European concert; and, in the second place, we had to consider that, on analyzing that document, we found that it only proposed—and wisely and skilfully proposed—that those engagements should be maintained which the Porte had entered into by its firmans and decrees. In addition to this we thought it no disadvantage that in the then unsatisfactory state of affairs in that part of the world there should be again a public recognition by the Porte of its duties and of its engagements, as well as a renovated agreement to fulfil them. Therefore, under those circumstances, we gave in our adhesion to the Andrassy Note. That Note met with that fate which was the inevitable consequence of the unhappy circumstances with which it had to contend. Well, then, your Lordships know, that time elapsed—another year nearly elapsed — and then came the Berlin Memorandum. Our conduct in reference to that Memorandum has been questioned often—and it has been questioned to-night—I myself do not think with justice or with accuracy. Before I touch upon the course which we took with respect to the Berlin Memorandum let me advert to some remarks which were made by the noble Earl (the Earl of Dudley) who preceded the noble Lord who last addressed us. The noble Earl appears to have addressed us to-night with the hope of bringing about an Autumn Session—although I must say that in the month of February that seems a task even beyond the noble Earl's resources. The noble Earl says that he has no objection to the general policy of the Government. He approves the general policy of the Government, but he cannot support the Government in consequence of their conduct with regard to what are called the Bulgarian atrocities. He says that we did not impart sufficient information to Parliament, and that the discontent of the country has entirely originated from that studied negligence on the part of the Ministry. ["Hear!"] The noble Earl (the Earl of Dudley) cheers that remark, and I accept that cheer as his acknowledgment that I have accurately described his views. Now I wish to give to the House the most striking illustration of the complete ignorance that pervaded, not England alone but the whole world, the whole of Europe, and especially those countries nearest to the spot where those atrocities were committed, and whose border populations were, above all others, most deeply interested in the matter. I wish, I say, to give your Lordships a striking instance of the ignorance which prevailed at that time. When the three Imperial Powers met to compose the Berlin Memorandum they composed it with an aggravation of all their charges against the Porte. It is the custom of diplomacy—and I do not object to it—that there should be an insertion of every circumstance *ad invidiam* that had occurred since the publication and failure of the Andrassy Note; and yet, although Germany, Austria, and Russia were the Powers that concocted that celebrated State paper, not a single allusion is made in it to the Bulgarian atrocities, notwithstanding that they had been perpetrated a fortnight before that Memorandum was framed. So far as Her Majesty's Government were concerned nothing could be more painful and nothing more injurious to our position when we were called upon for information upon such a subject than for us to be unable to satisfy the wish of Parliament and of the country. But the truth is this—We have heard in the course of these debates something about Consular Agents and the information that could be obtained by their means: but the truth is, that these atrocities were perpetrated in parts of Turkey which are unwisely denuded of Consular supervision, there being no commercial demands for such agencies, and the Government of a past day having considerably reduced the Consular agencies in the Turkish Empire.

EARL GRANVILLE: I am afraid that the noble Earl is not quite accurate on the point. I think he will find that there were Consulates in some of the districts of Bulgaria. I do not desire to enter generally into the Consular question, but will he state what Consulates were abolished?

THE EARL OF BEACONSFIELD: I will take care that the noble Earl shall have the information he desires; but I am under the impression that several Consulates in European Turkey had been abolished. They were, I believe. abolished in consequence of a Report of a Committee of the House of Commons, and therefore I make no charge in this respect against any Government of which the noble Lord was a Member, if indeed it was that Government which reduced them. I will now revert to the Berlin Memorandum. Well, we objected to the Berlin Memorandum upon this broad ground. There were, of course, many other grounds of objection to that document which have been stated by my noble Friend in his despatches which are upon the Table of the House; but we objected to it upon this broad ground—that to our minds it would obviously and inevitably lead to the military occupation of European Turkey. That is a policy which we have always resisted, and it is a policy which we have as yet successfully resisted. It is a policy which the noble Earl may see, by reading the Papers upon the Table, has cropped up more than once in the course of these negotiations, since the Berlin Memorandum was drawn up, and we have always resisted it, and hitherto successfully resisted it. I am perfectly ready to found the vindication of our conduct with regard to the Berlin Memorandum upon that broad ground. I think that there are many other grounds which would have rendered it impossible for us in the then state of the Porte to have given in our adhesion to it, but that one is ample justification for our refusal to join in it, and I believe the country approved the conduct of the Government in so refusing. It has been frequently charged against us in the past, and has been charged against us to-night, that having refused the Berlin Memorandum we took no steps and made no proposition of our own. Well, that is not a just observation. Ten days elapsed after the Berlin Memorandum was refused, and then a revolution happened in Constantinople; and the first public act after that revolution was, I believe, an amnesty published and announced to all the subjects of the Porte. Well, that was thought an opportunity by which a termination might be put to those revolts, and the opportunity was not lost. It is very true that it was limited to what my noble Friend the Secretary of State properly called "communications," but they were communications of the greatest moment, and it was from those communications that ultimately we succeeded in having adopted by all the other Powers the propositions which we submitted to the Conference. Now, there were two great policies before us with regard to the Christian subjects of the Porte. There was the Russian plan, and it was one deserving of all respect. It was a plan for establishing a chain of autonomous States, tributary to the Porte but in every other sense independent. No one can deny that was a large scheme, worthy of statesmen and worthy of the deepest consideration. But the result of the deepest consideration that Her Majesty's Government could give to it was that they were forced entirely to disapprove of that scheme. This scheme of a chain of autonomous States in the Balkan country, and, indeed, in the whole of the country that during the last half century has been known as European Turkey, is a state of affairs that has existed before. The Turks did not step from Asia and conquer Constantinople—as is sometimes mentioned in speeches at National Conferences. It was very gradually that they entered and established in Europe. As a rising military Power they obtained territories near the Black Sea, and ultimately entered into Thracia, and there they remained for some time in company with all these independent and autonomous States. There was, of course, an Emperor of Constantinople, there was a King of Bulgaria, there was a King of Servia, there was a Hospodar of Wallachia, there was a Duke of Athens, and there was a Prince of Corinth. And what happened? The new military Power that had entered Europe gradually absorbed and conquered all these independent States, and, having conquered these independent and autonomous States, these kingdoms and duchies—the Empire of Constantinople being now limited to its matchless city and to what in modern diplomatic language is called "a cabbage garden," was invested and fell. And it did occur to us that if there were a chain of autonomous States and the possessors of Constantinople were again limited to "a cabbage garden," probably the same result might occur. Well, I do not pretend to say who first introduced this word autonomy into these negotiations. If we did we must bear the blame. But against this plan of the Russian Court we proposed what was called by some one—the phrase was adopted at least—administrative autonomy, and we defined that administrative autonomy to be institutions that would secure to the Christian subjects of the Porte some control over their local affairs, and some security against the excesses of arbitrary power. And what happened, my Lords? Discussions did occur between Her Majesty's Government and the Government of St. Petersburg; and the result of those discussions was, that the Russian Government gave up their views and adopted those of England; and I had a right to say—as I said in a speech in my own county, to which I would not have alluded if the noble Earl had not done so—there was no Government that met us more cordially on this subject, or assisted us more readily than the Government of St. Petersburg. Well, there were circumstances that prevented at that moment a conclusion being reached, the greatest being the breaking out of the Servian War. But when an opportunity occurred my noble Friend the Secretary of State reverted to those views which he knew would be acceptable, and the fact that they were accepted at last by all the six Powers proves that the expectation on our part of their success was not an ill-judged one. Now, my Lords, not to weary your Lordships with unnecessary detail, I come to this Conference which we are told has failed, but which I hope may yet bear fruit. The noble Earl has made several remarks which I can hardly pass unnoticed, as they refer to myself personally. The noble Earl seems to have a doubt whether my noble Friend (the Marquess of Salisbury) had the confidence of his Colleagues, and he gave his reasons for that doubt. I had the honour, from the position which I occupy, to select my noble Friend for the duty which he so patriotically accepted. I selected him not merely on account of his talents, on which in his presence I will not for a moment dwell—and it is unnecessary, because they are fully and generously recognized by your Lordships on both sides—but I did select my noble Friend because he happened to be at the head of that Department over which the noble Duke who introduced this subject (the Duke of Argyll) himself once ably presided. I selected my noble Friend because he presided over a Department where the considerations of State connected with it, where the great knowledge which he must have thus acquired, could not but be of signal service to him in the discharge of the duties which awaited him at Constantinople. I selected my noble Friend, also, because I knew that upon all the large and leading subjects which have occupied the attention of the House this evening there was between him and myself a cordial and complete concurrence. On all the grounds which I have indicated I thought my noble Friend would be found well suited for the post. But he is supposed not to have had the confidence of his Colleagues because he seems to have been attacked in some newspapers generally supporting the Administration, and because his Colleagues have not written leading articles in his defence. Every public man is liable to such attacks. No one has been more attacked in the newspapers than myself. I dare say I have had as many leading articles, mainly of a vituperative nature, written against me as anyone ever had. And yet I declare upon my honour that I do not know a single Colleague who ever wrote a single line in my defence. Yet they all possess my confidence; and I believe they have some trust in me. I therefore think that the principal argument of the noble Earl opposite——

Earl GRANVILLE: Not the principal argument. Those were words which I did not use.

The Earl of BEACONSFIELD: Then there must have been a ventriloquist in the House; because on this side of the House we were all under the impression that that was the principal argument of the noble Earl. Then the noble Earl says the statements in my Guildhall speech were never vindicated when he alluded to them the other day, and that I seemed to be satisfied by the defensive observations of my noble Friend the Foreign Secretary. Well, I certainly was satisfied with his observations; for my noble Friend only made one observation on the subject, and I thought that one was perhaps one too much. Why, what did I say at the Guildhall? What are the statements? We hear a great deal of the "statements," and the noble Earl looked as if they were something terrible, statements that could not be mentioned to ears polite. Why does he not say what the statements were? I will tell him what they were. I said that the policy of England was a policy of peace; that there was no country of which peace was more essentially the policy than of England, because we wanted nothing. We coveted no city and no province; but I also stated that if we had good reasons for going to war, reasons which touched our liberties, our honour, or our Empire—if there was to be such a war, and we were unfortunately brought into it—we should enter into that war with a determination to carry it on until right were done. These were the statements that I made in the Guildhall. These are the statements that I now make in the House of Lords. I entirely adhere to them. They were no sneer. I was unconscious of any sarcasm. They were the sincere expression of my own feelings and I believe also of those of my Colleagues. Then the noble Earl contrasts his own behaviour at the Conference of London on the violation of the Black Sea Treaty and the conduct of my noble Friend at the Conference at Constantinople. The noble Earl asks—"If I had acted at the Conference of 1871 as the noble Marquess acted or was obliged to act, from a want of confidence or from the timidity on the part of my Colleagues, do you ever think I should have succeeded in the difficult enterprize in which I had embarked?" Now, I must say there is some courage in thus appealing to the violation of the Black Sea Treaty and the submission to it by the English Government as a proof of the noble Lord's valour and determination. I have expressed in "another place" my opinion of the conduct of the Government and of the noble Lord on that score. I do not wish to repeat it on this occasion; but as the noble Lord himself has forced me to notice that subject, I must tell him, further, that the duties which he had to fulfil at the Conference of London and those which had to be fulfilled by my noble Friend at the Conference of Constantinople were essentially different duties. Certainly, the noble Lord would not have succeeded in his efforts, if he had commenced his business at the London Conference by saying that nothing would induce England to have recourse to any violence if she could not obtain adhesion to the proposition she made. Why, the noble Lord went there to vindicate the honour and the interests of his country; and if the Russian Ambassador had refused the compensation which he demanded it would have been the noble Lord's duty to coerce the Power which had first outraged England, and then refused to do the only act which the noble Lord could devise in order to remove that stain on her reputation. But was that the position of my noble Friend at Constantinople? Why he was there as a mediator—he did not go there to threaten: and to suppose that we could go into such a Conference and not let it be known—as I believe it was generally known — that under no circumstances England would have recourse to coercion in order to carry her mediatorial recommendations into effect—I say to have entered the Conference at Constantinople and to have concealed that determination would have been acting with great duplicity. My Lords, I cannot believe that you will sanction for a moment the view which the noble Earl has taken on this subject, but that you will see at once that the situations of the two negotiators were essentially different—that if the noble Lord opposite had failed in his demand it would have been his duty immediately to consider whether and what coercion should be applied; whereas my noble Friend had a more difficult and more humble task—he was there as a mediator, he went not to coerce but to persuade. And allow me to say, when we are told that the Conference was a failure, that certainly there was no failure of my noble Friend in the principal object of his visit to Constantinople. When he went there what was the situation? Then, the first *sine quâ non* was that Bulgaria should be occupied by a Russian army. We had a great many other demands of a similar kind. Who succeeded in obtaining the withdrawal of those unreasonable proposals? Why, my noble Friend. My noble Friend fell only into one error, which I should have fallen into myself, and I believe every Member of this House would have done the same. He gave too much credit to the Turks for common sense, and he could not believe that when he made so admirable an arrangement in their favour, they would have lost so happy an opportunity.

My Lords, I have rather trespassed on your attention. I felt that to-night, although I regretted there was no direct issue brought before us, it was my duty in common with my Colleagues to vindicate the conduct of the Government. I hope I have shown that with respect to our general conduct we have pursued and upheld the traditionary policy of England, and because we believe it to be the best security for general peace. I hope I have shown that with regard to the secondary though important object, the condition of the Christian subjects of the Porte, our course has been circumspect and consistent, proved, as I think, by its having obtained the general approbation of the Powers. I will not touch upon the Imperial issues involved in this subject. It has been said that the people of this country are deeply interested in the humanitarian and philanthropic considerations involved in it. All must appreciate such feelings. But I am mistaken if there be not a yet deeper sentiment on the part of the people of this country, one with which I cannot doubt your Lordships will ever sympathise, and that is—the determination to maintain the Empire of England.

THE DUKE OF ARGYLL, in referring to the telegram expressing the warm thanks of the Turkish Minister to the noble Earl the Secretary of State for Foreign Affairs, said that the telegram ought not to have been printed in the Blue Book, unless the noble Earl was prepared to state what was the nature of the communication for which such warm thanks were given. With regard to the Guildhall speech, there could be no doubt that in the terms in which the noble Earl (the Earl of Beaconsfield) used in reference to the ultimatum of the Emperor of Russia, that he was speaking at Russia, and in the Blue Book there appeared a communication from Prince Gortchakoff making serious comments on that speech.

THE EARL OF DERBY was understood to say that if there was no objection to it on public grounds, the information which the noble Duke desired would be given.

Moved, That an humble Address be presented to Her Majesty for, Copy of the communication from the Secretary of State for Foreign Affairs to the Turkish Minister, referred to in the telegram of the 24th of December, 1876.—(*The Duke of Argyll.*)

Motion (by leave of the House) *withdrawn.*

PUBLIC RECORD OFFICE BILL [H.L.]

A Bill to amend the Public Record Office Act, 1838—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 8.)

House adjourned at Twelve o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 20*th February*, 1877.

NAVY—H.M.S. "VANGUARD."

QUESTION.

MR. SULLIVAN asked the First Lord of the Admiralty, If his attention has been drawn to the recent occurrence of a shipwreck attended with loss of life at Bray near Dublin, owing to the Captain of the vessel mistaking for the Kish Light the light marking Her Majesty's Ship "Vanguard;" and whether he can hold out hopes of speedy measures being taken to remove the cause and prevent the recurrence of such a lamentable casualty?

MR. HUNT: Sir, the facts which I have ascertained in reference to the affair are these—In last September a Nova Scotia vessel was making her way to Kingstown when the master mistook the light on the *Vanguard* for the Kish light. When he discovered his mistake he signalled for assistance, and the lifeboat came out and took off the crew, but on the way to land it capsized and three men were drowned. The master or owner was at fault in the wreck not being marked on his chart. The light over the wreck is a green revolving light and the Kish light is a white revolving light, therefore there could be no mistake as to their identity. Twelve months' notice was given to mariners of the light over the *Vanguard.* The light is not under the jurisdiction of the Admiralty, though they pay for it. It is under the jurisdiction of the Irish Lights Commissioners. It is not certain what will be done with reference to the *Vanguard,* as the Admiralty are negotiating a contract for raising her; but supposing that contract is completed, the light must remain so long as the works connected with the raising are being carried on.

COAL MINES—EXPLOSION IN DARCY LEVER COLLIERY.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If it be correct that at sundry times shortly before the explosion of the mine belonging to Knowles and Son, Limited, at Darcy Lever by Bolton, some of the coal hewers had to return home from the presence of gas in the mine; and, whether, considering the peculiar circumstances of the management in the inspection of the mine, that he will order that the inquest be watched by some other person than the inspector, in the public interest?

MR. ASSHETON CROSS, in reply, said, that he could only learn from the agent and manager of the Darcy Lever mine that they knew of no gas having accumulated for several months prior to the explosion which took place there. Unfortunately, the report book which would have shown the daily state of the ventilation was very nearly destroyed by the second explosion, and they had now no means of getting at the facts. The last accumulation of gas which they could find out to have existed was on the 21st of June, 1876. In his opinion it was as much to the interest of the owners of the mine as it was to that of the public that a public inquiry should be made. He had followed the course which was usual to him in such matters. He had given instructions that counsel on behalf of the Home Office should attend the inquest.

ARMY MEDICAL OFFICERS.

QUESTION.

DR. LUSH asked the Secretary for War, Whether, seeing the continued indisposition to enter Her Majesty's Service in the Medical Department of the Army, evinced by the scarcity of applications for commissions, he can hold out any prospect of the condition of that service being improved; and, especially if he is prepared to place the Medical Officers upon the same footing as other officers with regard to exchanges?

MR. GATHORNE HARDY: Sir, considering the very short time the new system has been established, I do not consider 56 candidates a small number to have presented themselves since August last. Thirty-three passed through the school this month and will be duly commissioned, and 23 are now under examination. Further, it should be remembered that three Departments are competing at the same time for medical men, and that India, being the best paid, of course monopolizes the largest share. I may mention that the greater number of vacancies is caused by the retirement on half-pay through ill health of medical officers of 20 and 25 years' service. With regard to exchanges, I have on a former occasion stated to this House that each application is considered on its own merits, and the Director-General of the Army Medical Department uses discretionary power in recommending or refusing the indulgence, having due regard to the officers' services at home. In fact, no application has been refused when an officer has been at home under three years.

TURKEY—HERZEGOVINA—AUSTRIA.

QUESTION.

Mr. HOPWOOD asked the Under Secretary of State for Foreign Affairs, Whether Mr. Ffrench, the British Chargé d'Affaires at Vienna, did in compliance with the Despatch of the Earl of Derby (p. 5, Turkey, No. 2, 1876,) make a "friendly representation" to Count Andrassy to induce the Cabinet of Vienna to take measures on the frontier to assist the Turkish Government in quelling the insurrection in Herzegovina; and, what, if any, was the reply of Count Andrassy; whether Ljubibratich, a leader of the insurgents, was not afterwards captured with others by the Austrian troops, as they alleged, but he denied, upon the Austrian frontier; whether Luka Petcovich, also an insurgent, was not taken from his sick bed in the hospital at Ragusa; and whether these and other insurgents similarly captured are still kept prisoners in Austria; and, if so, whether Her Majesty's Government would be disposed to make a friendly representation on their behalf for their release?

MR. BOURKE: Sir, in answer to the first part of the Question, I have to point out that the instructions given to our Chargé d'Affaires at Vienna are not quite the same as the Question would seem to imply. Mr. Ffrench was directed to say to Count Andrassy "that Her Majesty's Government would be glad to learn that the Government of Austro-Hungary had taken steps to secure the peace of the frontier and to prevent the disturbances in Herzegovina from receiving support or encouragement from Austrian territory." It appears that Mr. Ffrench was unfortunately ill at the time and unable to leave the Embassy for 10 days, and there is nothing to show that he executed the instructions, though no doubt he did so. No reply from Count Andrassy is reported. Ljubibratich, and several others, were arrested by the Austrian troops on the 10th of March of the following year, 1876, and taken to Trieste. Afterwards, I believe, they were sent into the interior. An account of this is given in the Blue Book. No further official reports have been received repecting them, and no report respecting Luka Petcovich having been taken from a hospital. Her Majesty's Government do not intend to interfere in the matter, or to make any representations respecting it.

CRIMINAL LAW—CASE OF THOMAS CUNLIFFE, A MINER.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, Whether his attention has been directed to the case of Thomas Cunliffe, of West Houghton, county Lancaster, who was tried on Thursday, the 8th inst., before the Rev. J. S. Birley, on the charge of placing two tallies on two tubs that did not belong to him, value about one shilling and sixpence, and sentenced to three months' imprisonment with hard labour; whether the man was properly convicted; if guilty, whether the punishment was not excessive; and if it is true that the magistrate called out, as narrated in the "Bolton Chronicle," that the panel "would have a share of the treadmill?"

MR. ASSHETON CROSS said, that, in his opinion, the man was properly convicted, and the punishment was not excessive. It was not a case of stealing the tallies, but of taking a tally from one tub and placing it on another, by which he would get credit and pay for himself for the work done by a fellow-workman. He could not conceive a more disgraceful or a meaner act on the part of a collier, especially, under the circumstances, because the man who really worked the coal could never find it out. He should not, therefore, wonder if the magistrate had made use of the expression referred to, for he considered that he would have been justified in doing so.

THE ROYAL ACADEMY — SIR FRANCIS CHANTREY'S BEQUEST.—QUESTION.

Mr. GOLDSMID asked the First Commissioner of Works, Whether it is correct that the Council of the Royal Academy have out of the interest of the funds bequeathed by the late Mr. Chantrey for that purpose, purchased a picture which is to be the property of the nation if suitable room is provided for it by the Government; and, if the statement is correct, to ask what course the First Commissioner proposes to follow?

Mr. GERARD NOEL: Sir, when I saw the Question of my hon. Friend on the Paper I communicated with the Council of the Academy, and I am informed that negotiations are in progress for the purchase of a picture with the interest of the funds bequeathed by the late Sir Francis Chantrey. According to the will, about £2,500 a-year may be devoted to the purchasing of sculpture and works of art, but the will states—

> "And it is my wish that the works of art purchased shall be collected for the purpose of forming and establishing a public national collection of British fine art in painting and sculpture, executed within the shores of Great Britain, in the confident expectation that whenever the collection shall become of sufficient importance the Government or the country will provide a suitable and proper building."

Sir, at present there is ample room in the National Gallery for any pictures which may be purchased by the Trustees for the next few years. No doubt at some future time, when the collection increases, Her Majesty's Government must consider the propriety of providing a suitable home for the works of art acquired under the will of Sir Francis Chantrey, so that they may become the property of the nation.

INDIAN COOLIES—ISLAND OF REUNION.—QUESTION.

Mr. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether it is true that the French Government has agreed to the appointment of a Joint Commission to consider the treatment of Indian Coolies in the Island of La Réunion; if so, whether he will state the scope of the proposed inquiry, and the names of the Commissioners to be appointed by Her Majesty's Government; and whether he will recommend the appointment of a similar Commission for Martinique, Guadaloupe, and Cayenne?

Mr. BOURKE: Sir, the French Government have agreed to the appointment of a Joint Commission to inquire into the condition of Indian Coolies in La Réunion. Her Majesty's Government are not yet in a position to state what will be the scope of the proposed inquiry, inasmuch as we are in communication with the French Government on the subject, and no definite understanding has yet been come to. The Commissioners on the part of Her Majesty's Government have not yet been named. There is no present intention of appointing a Commission to inquire into the condition of Indian Coolies in Martinique, Guadaloupe, and Cayenne.

METROPOLITAN COMMONS—MITCHAM COMMON.—QUESTION.

Mr. FAWCETT asked the President of the Local Government Board, Whether, if, as reported in the public journals, the local authorities of Croydon had decided to apply for permission to convert a hundred acres of Mitcham Common into a sewage farm, he will promise either to refuse the application, or not to grant it until the House has had an opportunity of expressing its opinion upon the proposed conversion to such a purpose of a considerable portion of a valuable open space near the metropolis?

Mr. SCLATER-BOOTH, in reply, said, that no official communication had been made to him to the effect suggested by the Question. He had, however, seen in a newspaper a statement that the Rural Sanitary Authority at Croydon had it in contemplation to make such an application for 100 acres of Mitcham Common. It appeared by the same report that the consent of more than 100 persons would have to be obtained before such an application could be entertained, and, whatever his views might be, no order which he might make on the subject could take effect until it had been confirmed by Parliament. The hon. Member would, therefore, see that Parliament would have ample opportunity of expressing its opinion on the proposal.

THE MAGISTRACY, IRELAND—CASE OF MR. DEVLIN.—QUESTION.

MR. T. DICKSON asked the Chief Secretary for Ireland, If he will lay upon the Table of the House, Copy of the Memorial referred to by him on Friday, the 16th, as having been forwarded to the Lord Lieutenant of county Tyrone, in favour of the appointment of Mr. Devlin to the Magistracy, and the reasons then assigned by the Earl of Charlemont for declining to accede to the prayer of that Memorial when presented in the year 1874?

SIR MICHAEL HICKS-BEACH: Sir, I am unable to lay upon the Table a copy of the memorial forwarded to the Lord Lieutenant of county Tyrone, or of any reply he may have sent to it, because the documents in question are not, and never have been, in my possession, and I only quoted them, as I stated to the House on Friday, from a correspondence I had seen in the public Press. The particular memorial signed by the hon. Member for Dungannon (Mr. T. Dickson) was not the only one to which I referred; but I may take this opportunity of assuring the hon. Member that I had no intention of attributing to him any blame for having signed the memorial in question, much less of fixing on him any responsibility for an appointment which I believe was not made, as he states, until a considerable time had elapsed since the date of his signature. So far as I am aware, however, nothing had transpired up to the date of Mr. Devlin's appointment to the Commission of the Peace which could lead anyone to suppose that his position or qualifications had in any way changed since the date of the presentation of that memorial.

THE CONSTABULARY, IRELAND—DRILL AND GUARD MOUNTING.

QUESTION.

CAPTAIN NOLAN asked the Chief Secretary for Ireland, If battalion drill and guard mounting form part of the instruction of recruits at the Constabulary Depôt, Phœnix Park; and if so, whether these are ever practised by the policeman after he leaves the Depôt; and, having in view the alleged already too military character of the police, and the fact that their cost is credited exclusively to the Irish Civil Service Estimates, to ask if such instruction in battalion drill and guard mounting is to be continued?

SIR MICHAEL HICKS-BEACH: Sir, a few simple movements of battalion drill are taught to the recruits at the Constabulary Depôt in the Phœnix Park, such as are likely to be of use to them in their future service; for, as is well known, members of the Force are frequently called upon to act together in bodies of considerable size. There is no guard mounting parade, properly so called, but as there is a force of between 600 and 700 recruits continually receiving instruction at the depôt, and it is necessary to keep a proper supervision over the large amount of public property in the magazine, clothing stores, stables, and other buildings there, guards are mounted for this purpose. I know of no way in which such supervision could better be provided than by the members of the Constabulary Force themselves.

SOUTH AFRICA—CONFEDERATION OF THE CAPE COLONIES—THE TRANSVAAL REPUBLIC.—QUESTION.

MR. GOURLEY asked the Under Secretary of State for the Colonies, If he will state what progress has been made in the recent negotiations between the Home Government and Governments of the Cape Colonies towards confederation; if he will inform the House the nature of the instructions given to Sir Theophilus Shepstone with reference to his mission to the Transvaal Republic; and, if the Government have considered the desirability of annexing, by negotiation or otherwise, the Transvaal Settlements?

MR. J. LOWTHER: Sir, the Secretary of State has transmitted to each of the States and Colonies concerned a copy of the draft Bill which he has prepared for enabling the confederation of the Colonies and States in South Africa to be effected, and he is awaiting the expression of their opinion on the measure. Sir Theophilus Shepstone was directed to inquire into the causes which brought about the war between Sococoeni and the Transvaal, to render all good offices with the view of putting an end to it, to confer with Her Majesty's High Commissioner, and to take such steps as may be necessary for the promotion of British interests and the protection of Her Majesty's possessions in South Africa. Her Majesty's Government are of opinion that it would be greatly to the interest of the Transvaal Republic, as well as the British Colonies, that the Republic should come under the British flag, and Lord Carnarvon has invited the opinion of the President upon the draft Bill for the Confederation of the South African Colonies and States, of which the Republic would form a part.

THE RUSSIAN FLEET IN THE PACIFIC.

QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether his attention has been drawn to the following statement in the "Times" of the 1st February:—

> "Russian Ships of War.—'A. M.' sends us a note, dated January 9, received by him from San Francisco on Wednesday morning:—'There is a fleet of thirteen Russian corvettes in the bay here;'"

whether the account in the "Globe" of the 13th January, headed "Russian Fleet in the Atlantic and Pacific" is correct, that—

> "In the event of war being declared between England and Russia this fleet of eleven war vessels would assuredly paralyse the grain trade of this Country and disorganise our food supply. To oppose these eleven Russian war vessels England has but seven ships in the Pacific, carrying but fifty-six guns, viz., the 'Repulse,' 12; 'Amethyst,' 14; 'Opal,' 14; 'Fantome,' 4; 'Albatross,' 4; 'Daring,' 4; 'Rocket,' 4. The four gunboats are only 100 tons larger than the 'Goshawk,' and the latter is unfit for ocean cruising. It remains, therefore, that the Russians, if they care to soar above capturing our grain ships, can oppose eleven vessels to our seven;"

and further, in the "Globe" of the 6th February, under the head "Deserving Official Attention," that—

> "Owing to Esquimault being but poorly defended, 'the Russian fleet could easily beat down upon it and with very little opposition seize it and its valuable stores;'"

and, whether he will inform the House if any precautions have been taken or preparation made to guard against disaster (in the event of war) to our colony and shipping in the Pacific?

MR. HUNT: Sir, the information at my command does not agree with that quoted by the hon. and gallant Member. It is to the effect that on the 24th of January there was at San Francisco a Russian squadron, consisting not of 13 corvettes, but of one corvette, two gun-vessels, and three gunboats. The hon. and gallant Member seems by his Questions to anticipate an outbreak of war between this country and Russia. That is an anticipation in which I do not share, our relations with that Empire being of a friendly character. Should, however, British interests be threatened from any quarter or in any part of the globe, I hope the House will rely upon Her Majesty's Government taking proper steps to afford them protection.

THE RAILWAY COMMISSION.

QUESTION.

SIR COLMAN O'LOGHLEN asked Mr. Chancellor of the Exchequer, If it be the fact that since the month of July last the Railway Commissioners have been sitting without the assistance of a Legal Commissioner; if it be the intention of the Government to fill up the vacant office of Legal Railway Commissioner; and, if so, when is it probable the appointment will be made?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that owing to the illness of Mr. Macnamara, the Railway Commissioners had since the month of July been sitting without a legal Commissioner. The Civil Service and Legal Profession had sustained a heavy loss in the death of that gentleman. It was the intention of the Government to fill up the vacant post, and he understood that the appointment, which was one made by Her Majesty's Sign Manual, would very shortly take place.

METROPOLIS—THE PUBLIC OFFICES.

QUESTION.

SIR CHARLES RUSSELL asked the First Commissioner of Works, Whether some arrangement cannot be made for placing on all Government offices in a conspicuous place the names of such office, with a view to giving facilities to the public who have business to transact there?

MR. GERARD NOEL, in reply, said, he must admit that it was difficult for the public to distinguish one public office from another, a small brass plate being in most cases their only guide. He had therefore given orders to have the names of the different offices traced distinctly over the doors, by which means he hoped the inconvenience at present felt would be obviated.

PALACE OF WESTMINSTER—THE LADIES' GALLERY.

QUESTION.

MR. SERJEANT SHERLOCK asked the First Commissioner of Works, Whether an arrangement can be made to restore to the ladies who visit the Ladies' Gallery of this House the waiting-room of which they were deprived last year, and the loss of which has given rise to general complaints on their part?

MR. GERARD NOEL, in reply, said, he deeply regretted that the ladies who attended the deliberations of the House should have any cause to complain of the want of accommodation afforded; but he would look into the matter and see if any arrangement could be made which would insure their comfort.

PUBLIC HEALTH—VACCINATION.

QUESTION.

MR. BARRAN asked the President of the Local Government Board, If his attention has been called to an inquest held in Leeds, on Monday 12th February, upon a child, infant daughter of William Perkins, alleged to have died from vaccination, the medical certificate being, primary cause vaccination; and to statements that erysipelas frequently follows vaccination, thereby causing the death of many children; and, whether he intends to take steps to inquire into these cases, with a view to giving security to parents, who are compelled by Law to have their children vaccinated?

MR. SCLATER-BOOTH, in reply, said, his attention had been called to the death of a child at Leeds, which was alleged to have been due to vaccination, and he had caused inquiries to be made on the subject. The vaccination, it appeared, had been performed, not by a public officer, but by a private practitioner, and at the inquest which was held the jury found that the child had died from erysipelas, but did not agree as to how the erysipelas had been caused. The child after vaccination had received an injury which accounted for the difference of opinion among the jury. He might observe that the lymph with which the child had been vaccinated had been used in other cases without prejudicial results. When cases of this kind occurred it was his invariable practice to institute an inquiry into the circumstances attending them. He had received a report on the Gainsborough case, to which he referred the other day, and had laid it on the Table. He believed it would illustrate similar cases, and be useful in showing how bad after-effects sometimes followed vaccination as they did other operations.

METROPOLITAN ASYLUM DISTRICT BOARD.

MOTION FOR A SELECT COMMITTEE.

MR. RITCHIE, in rising to call the attention of the House to the proceedings of the Metropolitan Asylum District Board with reference to the establishment of a temporary Small Pox Hospital in Dod Street, Limehouse, and to move—

> "That a Select Committee be appointed to inquire into the constitution, powers, duties, and proceedings of the Metropolitan Asylum District Board,"

said, that the Petition with which he was entrusted had been signed by 63,000 persons, who complained of the proceedings of the Metropolitan Asylum Board, and it pointed out the injuries inflicted by these proceedings on employers and employed in the district where the Asylum Board had established their small-pox hospital. He would treat this hospital as being what it was now called, temporary, though he doubted whether it was intended originally to have a temporary character, as the Board had expended £7,000 upon it. The proceedings of the Board had been most unjustifiable, and no worse place could have been chosen for the purpose of a hospital. If the Board had taken advantage of all the means at their disposal there would have been no necessity for such a step as they had taken, which had led to so much alarm in the East of London. There had been some excuse for the Board not being prepared to deal with the outbreak in 1871, inasmuch as they had been appointed only two or three years before that time; but their neglect of the matter in the subsequent years could not be regarded in the same light. In the year before last a Select Committee of this House found that the Board had obtained two sites—one at Fulham and the other at Deptford—which it was intended to use for small-pox hospitals, and the choice of those sites met with general approval. In October last, however, when the disease was again becoming prevalent, nothing whatever had been done towards building hospitals on these sites, and the Board was no more prepared to deal with an outbreak than they had been at the time when the Select Committee sat. On October 14 they held a meeting, at which a letter from the Local Government Board was read, urging that the building at Deptford should be proceeded with, but it seemed to be thought that there was no particular hurry for coming to a decision on the matter. The letter was referred to a committee, but he could not find that anything further was done till November 18. On that date the disease having meanwhile been spreading very seriously, there came another letter from the Local Government Board, this time urging the erection of temporary buildings at Fulham and Deptford. Treating it as they seemed to treat all communications from that quarter, the Board considered the letter, but determined, instead of following its advice, to take in tenders with a view to the erection of permanent buildings at those places. Imagine a captain when shipwreck was imminent telling his carpenter to build a lifeboat, instead of merely putting together a raft. Such conduct would very much resemble that of the Asylum Board. On the 2nd of December the Managers began at last to take alarm, and resolved to stop the permanent buildings and begin temporary ones, and if they had gone about it in the right way the hospitals might have been ready in about three weeks, and there would have been no necessity for the temporary hospital at Limehouse, but practically the buildings were rather of a permanent kind, with great columns of brick, which required some time to dry, the other parts being of iron. On January 3, a committee of the Board reported that, with a view to a temporary hospital, they had fixed upon the building at Limehouse, the rental of which was £2,000, and which would require an expenditure of about £5,000 to fit it for a hospital. There was, he might add, no special reason why the hospital should have been established at Limehouse, for it was not intended for the inhabitants of the locality, but for convalescent patients from all parts of London. That being so, he would ask the House to consider for a moment the suitability of the present site. There was nothing, he maintained, in the air or neighbourhood which recommended it as a good place for the recovery of patients; rather the reverse, for the hospital was situated on the banks of a canal which was stagnant, with what was known as the parochial dust-yard close by, as well as chemical works which gave forth vapours all round. Again, if any one thing had been made more clear than another before the Committee to which he had referred it was the necessity of isolation in such cases as that of small-pox, but the street in which the hospital stood was only 12 yards wide, and the building itself abutted on the pavement for the whole of its length of 200 feet, while the front was studded with windows. There was no space between those who passed along the street and the hospital, and the end wall of the hospital formed also one of the walls of a dwelling-house. There was also a large number of factories on the spot, in which 2,000 girls were employed in making up woollen clothing, principally for the Army and Navy, and he was informed that as many more came there to take away work to their own houses. There were, besides, various parochial mission-rooms and other institutions, and a number of dwelling-houses which were let out in lodgings to seafaring men. It was evident, therefore, that there was not in the street a single element of isolation, and that the employments pursued in it were more calculated to convey infection than almost any other which he could name. Then, again, there was great laxity in the management of convalescent patients. Before the Select Committee on the

Hampstead Hospital it was proved that they were allowed to sit on the walls surrounding the building, to indulge themselves in smoking, and thus every opportunity was given for spreading the disease as widely as possible. Dr. Letheby, who was examined, expressed his decided opinion that such an hospital ought not to be erected or used in the neighbourhood of houses or even of a public road; but in this case it was in the midst of a population numbering thousands, and so close to houses that the people living in those opposite the hospital could look right into the wards and see the patients put into bed. Dr. Brewer, who was Chairman of the Asylum Board, and had been a Member of that House, stated before the same Committee that panic and fear greatly contributed to the danger of catching the disease. Dr. Letheby, whom he had already quoted, stated that people passing the hospital were liable to catch the disease, and in this manner contagion spread; that that statement was not a matter of mere opinion, but a fact, for everyone knew that the breathings and even close contiguity of patients labouring under small-pox were calculated to extend and spread the disease in every direction. But that was not all. The attention of the managers of the Asylum Board being called to the danger of persons visiting their friends, Sir William Wyatt stated that no regulations could prevent those visits. The fear which had seized the inhabitants of the neighbourhood in question was, under the circumstances, he contended, not a groundless fear, for he held in his hand a certificate drawn up and signed by 24 doctors and surgeons in the East-end of London who condemned in the most unqualified manner the institution of which he was speaking, and gave it as their opinion that it was placed in a position fraught with the greatest risk to the whole neighbourhood. Even supposing that a hospital was necessary, he had shown that the site was the most unsuitable which could have been chosen, and many other places might have been selected which were open to none of the objections he had been urging. But, was a hospital necessary at all? Evidently, in the opinion of the Asylum Board itself, there existed no paramount necessity for one, for, in the original agreement for this warehouse, the owner insisted on having a clause inserted exonerating him from any action at law that might hereafter be brought, but that was declined, as the Asylum Board refused to take upon themselves any responsibility, however remote the contingency; but, although unwilling to take on themselves this small risk, they did not hesitate to subject this populous neighbourhood to the risk attending the establishment of such a hospital in their midst, and the manufacturers and works to an additional pecuniary loss far in excess of any liability that would have been incurred by the Board. From the refusal on the part of the Board to accept the premises at all unless the objectionable clause was withdrawn, as was decided at their meeting of the 6th January, he contended that, in their opinion, no paramount necessity existed for the hospital at all. If any temporary accommodation had been required to meet the immediate wants of the metropolis, there were plenty of expedients which might have been adopted, and which, in fact, were adopted in 1871. The street where the hospital stood was the very centre of the London woollen manufacture, which gave employment to thousands of hands, and the neighbourhood would, in consequence of the hospital, be deprived of the benefits arising from the industry which had grown up in its midst, while the manufacturers would, of course, sustain heavy pecuniary losses. The agitation against the hospital was orderly and law-abiding, and there was not the slightest pretext for saying that the persons engaged in it conducted themselves otherwise than in a right and proper way. The people naturally turned to the Local Government Board, and a deputation was appointed to wait on his right hon. Friend the President of the Local Government Board. A great impression was made on his right hon. Friend's mind with reference to the unsuitability of the building, but he had already given his consent, and could not be induced to reverse the decision he had arrived at, though he promised to do his utmost to insure that the hospital should not be used except in the very last extremity. An appeal was also made to the Asylum Board, but without avail. A curt answer was received from them to the effect that the building was necessary. Then a public meeting was held. Sir Edmund Hay Currie, a member of the Asylum Board, attended it, and was apparently convinced by the representations which were made that the place was not a suitable one for the hospital, and he said—"If you leave the matter to me I will undertake to provide another place within a fortnight, and the small-pox patients will not be brought to Limehouse at all." Unfortunately, that promise was not fulfilled. A second deputation to the Asylum Board asked that there might be a week's delay before the patients were put in it, but even this moderate request was not complied with, but Sir William Wyatt said they could not undertake at that moment to set aside the hospital, but, although he could make no promise, the hospital might not be required at all. Sir Edmund Hay Currie made a statement to the same effect, and Dr. Brewer said there were at that moment 41 vacant beds at the Hampstead Small-pox Hospital; and he also stated that it was quite possible the hospital might not be used at all. Another member of the Board said he had been told that not more than five or six people were seen to pass the place where the hospital stood in the course of the day, and if he had known the circumstances he would never have consented to the hospital being there at all. The deputation, after such statements as these, left in the hope that after all the hospital might not be used, but what happened? The deputation waited on the Asylum Board on a Saturday, and to their astonishment six small-pox patients were received there on the following Monday, and that while there was accommodation for patients at the Hampstead Hospital. There were then 838 beds occupied of the 900 at the disposal of the Asylum Board, so that there were upwards of 60 beds vacant for patients. He could only conclude, in the face of such conduct, that the Metropolitan Asylum Board treated the representations of the inhabitants of Limehouse and those who represented them with contempt. And what was the result? Why, that the manufacturing interests of the neighbourhood were seriously injured, and that large numbers of workpeople, alarmed for themselves and families, left their work. The statements of numerous poor persons, many of them females, were taken down. They were simple, but touching. The people were struck with panic, and would rather run the risk of being deprived of their bread than stay at work beside this hospital. They stated that they saw the poor patients carried into the hospital in blankets, and they presented a shocking appearance. One person who was the father of a family, and who, in addition to his own family, had lodgers, on whom he depended to a considerable extent for the support of his family, declared that, as a Christian man, he could not expose them to the danger of catching the disease. There was another objection to the hospital being retained in the neighbourhood of Limehouse—namely, that it was the resort of a great body of sailors who lodged there and who would be exposed to the contagion, and might carry it with them to sea. In fact, the most serious consequences were certain to result from it. He received a letter from a gentleman who had property in the same street, and who said that since the hospital had been opened tenants who paid him £400 a-year rent had sent him notice to quit. The constitution of the Asylum Board was such that it was practically irresponsible. It was constituted under Mr. Gathorne Hardy's Act of 1867, one-third of the body being nominated by the Local Government Board and two-thirds elected in a very indirect way by Boards of Guardians. He hoped that, as the result of this discussion, the right hon. Gentleman (Mr. Sclater-Booth) would prevent any other patients from being sent into this hospital, and that he would also assent to the appointment of a Committee to inquire into the constitution and powers of the Asylum Board. They did not appear to have any consideration for the public in what they did. In fact, one of the members of the Board had boasted that they had never altered their plans in response to any representations of the public. They did not appear to hold themselves responsible either to the Local Government Board or the ratepayers, and they appeared to treat any remonstrances either from the one or the other with the same indifference. Then their powers with regard to acquiring land were far too large. If a cemetery was to be opened, notices were required under the Standing Orders to any occupiers of dwelling-houses within 100 yards of the site. But this Board went secretly and acquired land or buildings in any part of London without notice to anybody, the result being to destroy the trade of the district and greatly to depreciate the value of property there. Such powers were far too large. There ought to be some co-operation with local authorities in procuring a site for purposes of a hospital, and objections to the site chosen should be properly heard. It might be said that if this were done the Board would be able to get no site at all. But the Local Government should have the power of hearing both sides, and of deciding which of the two parties was in the right. Those were the reasons why the people of Limehouse asked for a Committee of that House to be appointed to investigate the matter with the view of having this establishment closed at once for the sake not only of their own districts, but of the metropolis generally. Having appealed in vain to the Asylum Board, and having appealed equally in vain to the Local Government Board, they now came to that House feeling sure that however humble they might be the House would not reject a petition which had truth and justice on its side. The hon. Member concluded by moving for the appointment of a Select Committee.

MR. SAMUDA, in seconding the Motion, said, that it was one which seemed to him most appropriate for the House of Commons to take into consideration. The chief question before the House was how far the power of the Asylum Board ought to be controlled in the future. He agreed with every word his hon. Friend had uttered on the subject. He himself had taken part in that most important improvement in the Poor Law, carried through that House by the present Secretary of State for War, which, among other things, provided for the appointment of the Asylum Board, and that on the ground that he thought it would be the very best thing that Parliament could accomplish. Prior to the establishment of the Board the infirmaries were crowded with poor people suffering from various diseases; and the intention of the Bill was to separate the aged from the diseased, and that the Asylum Board should be furnished with power to select the very best and most appropriate places out of London for the reception of patients suffering from infectious diseases; but the Asylum Board took a course the very reverse of that for which they had been appointed, and instead of taking illness out of London, they actually took a course to bring it into its most densely populated districts. They could not possibly have selected a place less suited for a small-pox hospital than Limehouse, the chief part of the population of which it was composed were seafaring men, who were peculiarly liable to the small-pox, which, perhaps, would not reveal itself among those infected until they got to sea, when it would develop itself with disastrous results to all on board. It appeared to him, therefore, either that the Asylum Board was acting in opposition to the intention of the Act, or else that there was the greater necessity for inquiring into the powers of the Board. He did not believe that a well-intentioned Board like the Metropolitan Asylum Board was aware of the mischiefs that were likely to result from their acts when they selected this narrow street in a densely populated district for their small-pox hospital, the effluvia from which would pass down the drains into the sewers, and so into the street through the different openings. Had the Board been required by the Act to put themselves into communication with the local authorities they would have had all these things brought under their notice; and if, after having been fully informed of the facts, they had still persisted in their proceedings, those who were opposed to them would have been acting properly in applying to the right hon. Gentleman opposite. He had, however, no doubt, from what he had heard, that the Asylum Board would like to withdraw from their position had they not already committed themselves to the extent of £2,000 per annum for the rent of the warehouses and £5,000 for the cost of the fittings of the hospital. It appeared to him that this Committee, if appointed, might advantageously go considerably further than the hon. Member opposite proposed, and might make it a condition that the Asylum Board should in quiet times select suitable places for such hospitals; that the hospitals should not be permanent, but huts should be used similar to those constructed for the temporary residence of soldiers in camp; and that the huts should be destroyed when the disease had died out. He trusted the Government would not refuse the appointment of the Select Committee moved for. He felt that a great deal was to be done, and that a great deal of good might come out of the inquiry by a Committee; and with regard to his own district, Limehouse, that the hospital, which was surrounded by the dwellings of 20,000 or 30,000 people, would be closed against the reception of small-pox patients, for whom an appropriate situation might easily be found.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the constitution, powers, duties, and proceedings of the Metropolitan Asylum District Board."—(*Mr. Ritchie.*)

MR. SCLATER-BOOTH said, he thought it would be more convenient if at that time he made a few observations, because other hon. Members wanted to speak on the subject, and after what he had to say they might be in a better position to do so than they were at present. He wished, in the first place, to set right some misconceptions. He could not for a moment complain of his hon. Friend for bringing this subject under the attention of the House, because he knew how deep were the feelings which had been excited among his hon. Friend's constituents respecting this hospital; but he did not think that any useful purpose could now be served by the appointment of a Committee on the subject. Although it was quite competent for the House to take upon itself these inquiries, yet, under the circumstances, there was nothing of a material character for the House to inquire into, and there was no case for the Committee, unless there were wider and deeper evils than had yet been alluded to, and some more practical object to be gained than he had yet heard. The Committee, in his opinion, was unnecessary, because it was not a year since a Committee on the same subject was appointed by the House, when it was proposed to establish a small-pox hospital at Hampstead—the case as to which was much stronger than that at Limehouse, because at Hampstead the Board had made a permanent purchase of land, whereas the occupation of the building at Limehouse was intended to be only temporary. The purpose of the Asylum Board had been almost accomplished, and he should deprecate very much the appointment of a Committee with a view to its perhaps recommending three months hence that which in all probability would be done in a few days. The evidence of the Hampstead Committee showed that infectious hospitals were not in themselves necessarily a source of danger to the adjoining district, and in concluding their Report that Committee submitted to the House whether compulsory powers of purchase should not be conferred on the Asylum Board, with corresponding powers of compensation, in accordance with the provisions of the Land Clauses Act. That was a practical suggestion, and if the Metropolitan Poor Act were before the House for revision, he would import the insertion of some such provision, but the concession of such powers would bring an enormous burden upon the ratepayers. The insufficiency of the accommodation at the disposal of the managers caused the necessity of setting up the temporary hospital at Limehouse, but, on the other hand, the ratepayers had been saved from the expense of maintaining two hospitals without any patients in them, and he might mention that in the summer of last year he received an application to close one of the two small-pox hospitals and dismiss the medical officers, because it was then thought that there were symptoms that the disease was dying out. From that time, however, symptoms of the disease began to manifest themselves anew, and, as had just been said by his hon. Friend, in the months of July, August, and September they continued to increase. He need not follow his hon. Friend into all the charges that had been brought against the Asylum Board. They had a painful, offensive and most thankless task to provide means for the extermination of this fearful disease at great risks to themselves, as he perfectly well knew. They had to do their duty to the whole of the ratepayers of the metropolis, and that duty had been most admirably accomplished, and as far as he knew without any dissatisfaction to the ratepayers. He would say at once that if the hospitals at Fulham and Deptford had been in operation in October and November, there would have been no occasion for the temporary arrangement at Limehouse, and this arrangement was only projected because the accommodation at the disposal of the managers would not enable them successfully to stamp out the disease. They were found fault with, because they proceeded to the erection of a permanent place, whereas they should have opened a place of a temporary kind. He should have been glad if that policy had been accepted, but one of the most experienced of the managers had told him (Mr. Sclater-Booth) that nothing would induce him to undertake the responsibility of working in huts again, on account of the difficulty of keeping up a uniform temperature in places constructed of wood and felt, besides the risk from fire which was involved. He was surprised at the allegations, therefore, that were made against the Board. What was the position of affairs now? The two places about which so much had been said were now upon the point of being ready for the reception of patients, and in the course of a week from that time as many as 240 beds would be at the disposal of the management, and they would not only be enabled to relieve Limehouse, but to restore the fever hospital at Homerton to its legitimate use. His hon. Friend said there was no occasion to make use of it, because there was room at Hampstead and Stockwell. He might, however, remind the House that for some time before cases had been refused admission into those hospitals, and it was evident that the managers would have incurred grave responsibility, if under those circumstances they had not put the few cases in this district into the place where alone they could be put. Although the number of cases in the present outbreak had not been so great as in 1871, he might say that the type of the disease had been as bad as could be well conceived, and when it was found that there was as many as 200 patients unprovided for he could not wonder that they should have found it inconsistent with their duty to abstain from using the place at Limehouse. The managers having no means of obtaining sites for the erection of hospitals except under the provisions of the Act, which gave, in fact, no power at all, they appealed to the Department to place a workhouse at their disposal, and he (Mr. Sclater-Booth), convinced by the arguments that were used, had done so, but the Guardians were able to resist their taking possession. It seemed to him to have been very well adapted for the purpose. The building at Limehouse was not like a row of houses in a street. It was a quadrangle. There were houses in front, but at either end none touched. It was said that there were 50 windows looking out upon the street, but all he could say was that the ground floor was not used by patients at all, for they were only treated on the first floor, and at the back part of the premises. As all, or nearly all, were convalescent, it seemed to him that the objections to the place from a sanitary point of view were reduced almost to a minimum. He had visited the place himself, and was convinced of the urgency of the appeal that had been made to him in December. The managers had only 60 beds at their disposal, and from every appearance at the time it was probable that all of them would be occupied within a week. He admitted that being near to the Limehouse Canal it would be an improper place for the treatment of patients in hot summer months, but having no other means of provision at hand, he was unable to resist the case which was made out for the taking of this place as a temporary hospital. That being so, and the fact becoming known, there was a rising in the neighbourhood, and especially in the street adjoining. He had been kept acquainted from day to day, almost from hour to hour, with the course of that agitation, and he had no wish to say a word against it; but, at the same time, he must state his own conviction that the agitation had been founded on a fallacy. Still, the fact that in the district there were a great number of factories and workshops, and the possibility of terror of the disease spreading among the workpeople, ought to have been taken into account. The representations that were made to him by the deputation that the interests of the industrial classes of the neighbourhood might be injured made a great impression on his mind. He conveyed that impression to the Asylum Board, and desired it to be made fully known to them that he considered they would be better discharging their duty by refraining from using the building, if they found it practicable, for a few days longer, notwithstanding that they had spent so much money upon it. He thought, however, that the health of the community would not in the slightest degree have been prejudiced by the use of the building. The health of the community was, in point of fact, more prejudiced by a case of small-pox which broke out in a private house, and it might have spread far and wide on account of the class of people living there. When the new hospitals at Fulham and Deptford were completed, as they would be in a week, the accommodation then available would in all human probabilty be in excess of the requirements of the public. From that time patients would be sent into those two hospitals. The convalescent patients would be discharged in the course of three weeks he hoped, and the next step would be to clear out at Homerton Hospital if it was found possible to do so. Passing by the imputations that had been cast upon the managers, who had done their best, and for which the metropolis should be grateful, he came to the question whether a Committee should be appointed. First of all, he would ask, was it required to put down the practical grievance before them? He thought the House would be unwise to appoint a Committee to deal with a difficulty which was being terminated in another way. Would it be proper to appoint a Committee to inquire into the constitution and efficiency of this Board? If he were to detail all that the Board had done, not only in the fearful business of small-pox—for that after all was but a very small part of what they had done and what they were doing—he thought the House would be of a different opinion. Suppose he were to advert to what they had accomplished for the 5,000 pauper lunatics, who must either have been committed to private asylums or kept in workhouses. From that policy the most happy results had followed. He had, he hoped, said enough to show to the House that the time had gone by for the suggestion of a Committee. They would have accommodation at their disposal more than sufficient for any outbreak of disease that was likely to occur. His hon. Friend had said that the Board was not representative, but it had achieved great success; and though its proceedings had been reviewed by many writers well acquainted with the subject, there was no fault to find with them. He was free to admit that the relation between them and the Vestries was indefinite, and in some senses unsatisfactory, and there were many things that might be remedied; but he did not think that a Committee was required to settle these matters. Besides, he deprecated the appointing of a Committee upon a question which after all belonged to a local authority recently appointed, and who so far had done very well, and when the grievance which it was to be called upon to deal with was really at an end. He hoped, therefore, the hon. Gentleman would feel that he had had ample opportunity of saying all he had to say on the subject, and would be satisfied with the result. He also hoped that the House would consider the explanation he had made satisfactory, and that the appointment of this Committee was quite unnecessary. He thought the hon. Gentleman's constituents would be indebted to him for having brought the subject before the House, and hoped he would be satisfied with the manner in which it had been treated and not press his Motion.

MR. HARDCASTLE observed that the power which the Metropolitan District Asylum Board possessed of importing small-pox patients into a crowded neighbourhood was of more than local interest and that there ought to be some check upon it. The present site ought to have been one of the last chosen by a public body and seemed to be more objectionable than that of Hampstead Hospital, which was situated in a large and open area. As for wooden sheds, the experience of Manchester showed that such structures might be made thoroughly warm and comfortable. In connection with the Infirmary there some wooden sheds had been erected to which no objection whatever could be taken on the score of warmth or ventilation.

MR. WALTER said, he hoped the hon. Member for the Tower Hamlets (Mr. Ritchie) would be content with the expression of opinion which he had elicited on the subject and not press for the appointment of a Committee. It so happened that, from the circumstance of having friends who were interested in Limehouse, he (Mr. Walter) took the trouble that afternoon to pay a visit to the locality, in order to judge of the matter from the testimony of his own eyes and ears. He was bound to say that, having gone to Limehouse with great prejudices against what had been done, and in the expectation of finding something very terrible, he was very much staggered by the real aspect of the place. Dod Street, which was 200 or 300 yards in length, was within 100 yards of Commercial Road, one of the most airy and open thoroughfares in the metropolis. It opened out of a wide thoroughfare leading into Commercial Road, and consisted principally of the large buildings which had been mentioned and an establishment for preparing Australian meat for the market, which was not being disturbed in any way by the presence of the hospital. The rest of the street was composed of small dwelling-houses, a small grocer's shop, and two gin shops. He went into one of these—probably the first gin shop he had ever entered in his life—and found that the people were not at all alarmed at the proximity of the hospital. They told him, however, that it was very unpopular in the neighbourhood. The other gin shop was quite at the other extremity of the street, and he did not think it worth while to enter it. In the small grocer's shop, the poor woman he questioned was not afraid of the hospital on her own account, but she said it had had the effect of driving away her customers, and it appeared to him that in cases of that kind it was a serious question whether compensation should not be paid. At the back of one of the buildings there was a stagnant canal, which was particularly offensive, but he found a very large open space occupied by timber yards, &c. Never in his life, indeed, had he seen anything less corresponding to his idea of a crowded neighbourhood — anything less like Seven Dials or some parts of Westminster, for instance. He said all this simply because he felt it his duty to do so, having no connection with Limehouse, and knowing nobody who lived there or who was connected with the District Board. He would not contend for a moment that that locality was a proper site for a permanent hospital, but so far as the temporary accommodation of patients was concerned, he felt bound to say that if he had been sent down to report upon it, he could not have objected to it, and he did not think under the circumstances that the District Board, of which he had no knowledge, and for which he had no special weakness, had shown any such indifference to the public interest or public convenience as had been alleged against them. He could not blame people for feeling somewhat uneasy at the presence of the hospital. At the same time he could say that if he himself lived in the street he should not be very much disturbed by it. Under the circumstances he believed the hon. Gentleman had gained his point in bringing the subject before the House, and he would, in conclusion, again express the hope that the Motion for the appointment of a Committee would not be pressed to a division.

MR. COLLINS remarked that the right hon. Gentleman (Mr. Sclater-Booth) had failed to touch the essential point involved in this discussion, which was the power of the Asylum Board to establish centres of infection in any district of London, he would not say capriciously, but as they might think fit. After the statement of the right hon. Gentleman to the effect that the hospital would very shortly cease to be used, it would probably appear to the hon. Member for the Tower Hamlets unnecessary to press his Motion. At the same time it must be recognized that the hon. Member had done a service to the inhabitants of the metropolis by bringing the subject before the notice of the House.

MR. COOPE thought that the metropolis ought to be protected against the caprice of the Asylum Board, and in his opinion the Limehouse people had very great cause of complaint against them. He hoped the public would not again be subjected to such arbitrary proceedings. After the discussion, however, which had taken place he trusted that the hon. Member would withdraw the Motion.

MR. RITCHIE said, the debate had practically served the purpose he had had in view. He accepted the statement of the right hon. Gentleman, which he understood to be that so soon as the Deptford Asylum was ready no more patients would be sent into Dod Street, and that after those who were there became well they would be discharged, and the building not again used as a hospital for infectious disease. [MR. SCLATER-BOOTH intimated assent]. With this assurance he begged leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

NAVY ADMINISTRATION.

MOTION FOR A SELECT COMMITTEE.

CAPTAIN PIM rose to move that a Select Committee be appointed—

> "To inquire fully into the present Admiralty organization and its system of departmental and general administration of the affairs of the Navy, as well as into the actual condition of the Navy and Maritime resources of the Country, to ascertain how far they meet the requirements of the Empire; and also into the administrative arrangements made by the First Lord of the Admiralty to insure the efficiency of the Naval Service, upon which depends the welfare and safety of the Kingdom."

The hon. and gallant Gentleman declared that the proper administration of the Navy was not a Party question, and it was one of the deepest national importance. He was proceeding to remark that our squadrons in the China and Japan seas were out-numbered by those of other nations when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock.

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HOUSE OF COMMONS,

Wednesday, 21st February, 1877.

MINUTES.] — SELECT COMMITTEE — General Carriers' Act, *appointed.*

PUBLIC BILLS — *Ordered — First Reading* — Union of Benefices* [95]; Capital Punishment Abolition* [96]; Vaccination Law (Penalties)* [97]; Railway Passengers Protection* [98]; High Court of Justice (Costs)* [99].

Second Reading—Game Laws (Scotland) Amendment [25]; Registration of Borough Voters [38], *debate adjourned.*

Second Reading—Referred to a Select Committee—Ecclesiastical Offices and Fees [12].

ECCLESIASTICAL OFFICES AND FEES BILL—[BILL 12.]

(*Mr. Cowper-Temple, Mr. Russell Gurney.*)

SECOND READING.

Order for Second Reading read.

MR. COWPER-TEMPLE, in rising to move that the Bill be now read a second time, said, that its object was a reform of the procedure of the Ecclesiastical Courts, which had already occupied the attention of the Legislature for many years. The laws regulating these Courts and their fees rested on nearly 100 statutes, and almost all the 11 Bills to reform them which had been brought in at different times included the substance of the present Bill. Most of those Bills seemed to have failed because they attempted to deal at one stroke with a subject so wide and so complicated that it was not possible for any general agreement of the House to be reached in a single Session. What had been accomplished, which was much, was effected by dealing successively with separate parts of the whole. In this way ecclesiastical jurisdiction had been settled; and the part which remained was the procedure in non-contentious business, and the instruments, licences, and remuneration of officers in granting and registering those instruments. The difficulties and abuses that had arisen from time to time with respect to these things were so notorious that he need not dwell on that part of the subject. As long ago as 1832 a Royal Commission was appointed to inquire into them, which recommended a reduction of the fees and offices; and in 1850 a Committee of that House took evidence and made various recommendations. Amongst them was the following:—

> "Your Committee have found from the whole of the evidence submitted to them that the sage precautions of the ancient civil and ecclesiastical laws against undue exactions of fees and the multiplication of offices have been practically disregarded; and your Committee recommend that payment of fees should be replaced by fixed salaries throughout the ecclesiastical establishments."

No steps, however, were taken to give effect to that recommendation; and it appeared, from the Returns of the years following, that in 90 cases the official duties of registrars were performed by deputies; that 17 minors had been appointed registrars; that two ladies held the office, one of whom had been appointed at the early age of five years; and another registrar was insane. The office was held by patent for life, and it was practically impossible to remove the holders even for incapacity and misconduct. In the diocese of Bristol the
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deputy registrar made no distinction in his charges in Common Law business between what was due to him as an officer of the Court and his professional charges as a proctor. In other dioceses there was no table of fees, and in one diocese the chancellor had doubled all the fees, because he thought they were too small before. In that of Durham the public paid fees for the service of the registrar, who did no part of the business, and then had to pay also the deputy who did the work. In Rochester the office of registrar was formerly held by two clergymen, who each took a third of the fees, and the remaining third went to the deputy, who did all the work. In Bath and Wells the visitation fees which were due from each parish in the diocese were divided between the chancellor, the apparitor general, the registrar, the deputy registrar, and the deputy apparitor general. In 1869 another table was framed in which fees were granted to the secretary. The fees on collations, institutions, and licences received by the secretaries were larger than those of the registrars. Although the chief part of the judicial business had been removed from these Ecclesiastical Courts, the number of officers had not been diminished, and they made large charges, in addition to their fees, for small benefits conferred. The first of the two leading objects of the Bill was to reduce the number of officers to what was at present required; the second related to arrangements for their remuneration. The number of officers was obviously excessive. In one single diocese he had ascertained that the number of officers was 32. The work which was divided between them could be properly performed by two persons, the chancellor and the registrar, but the Bill contemplated its being done by four, the chancellor, the registrar, the secretary, and the apparitor; and taking the average of the officers in the various dioceses, the number of offices might be fairly and properly reduced without any disadvantage to a fourth of the number at present existing. The Bill contained a list of the officers in its Schedule who were to continue, the duties of the others being transferred to the offices which were retained. The changes necessary would be brought about as vacancies arose, no present holder of an office being disturbed in it. Commissaries would be abolished altogether, except as a mere temporary appointment made for special occasions. There was no security under the present system that a person appointed to discharge duties was fit by either experience or training to do so, but future appointments would not be permitted to be performed by deputies. The Bill would therefore provide a remedy in that respect. The officials of archdeacons would be abolished, and their duties transferred to diocesan officers, an arrangement which was not open to objection. But the important proposal of the Bill was that henceforth all payments should be made not by fees but by salaries, and for the purpose of apportioning regular salaries the fees must be paid into a common fund, which would be under the direction and responsibility of the Ecclesiastical Commissioners. These fees must be received by stamps, as the safest and easiest mode of taking no less and no more than was due; but where unforeseen difficulties might arise, it was provided that Rules and Orders might be issued by the Privy Council for dispensing with the use of stamps. The marriage licence fees which were granted as dispensations from banns varied in different dioceses. He presumed that the Orders in Council would make them uniform. The salaries of the officers who were to be retained was stated in the Schedule at a maximum amount; the total amounted to about £34,000, and a limitation would be placed on the amount to which they might be reduced. Since the abolition of church rates the difficulty had in- of inducing proper persons to take the office of churchwarden, because they had certain fees to pay and no fund out of which to discharge them, and no process of law could compel payment from an unwilling churchwarden. It was therefore proposed to abolish those fees payable at visitation. The Bill dealt with the fees paid by clergymen on institution to their benefices, but it did not specify them, it followed the precedent of previous Acts, and authorized the issue of tables of fees. He thought those fees ought to be reduced, and it was proposed to repeal those Acts which authorized tables of fees, in order that new tables of fees might be provided.

The persons who issued the tables of fees were, as before, the two Archbishops and the Lord Chancellor; but it was made competent to Her Majesty to name other Members of the Privy Council who were to be associated with the Lord Chancellor in the issue of these Rules and Orders. In reference again to the marriage fees, if these remained substantially the same, and if the Schedule passed, there would be a surplus available, which might reduce the fees paid by the clergy by 40 per cent. The existing officers were not injured pecuniarily, and there would be a proportionate equality amongst them as to the share they would receive out of the general fund. The Bill reserved for those officers who had accepted office before the Act of 5th and 6th *Will.* IV. the rights of compensation which that Act conferred upon them for any damage they might sustain. One clause might excite emotion in that House, the clause that provided a salary for the Judge who was now sitting in the Court of Arches a sum of £1,500 a-year. The attention of those interested in this subject had been drawn to a correspondence of Dr. Tristram, who had undertaken to protect the interests of registrars. Dr. Tristram's idea was, that they might guard against the re-introduction into the Bill of the provision for having fees taken by stamps instead of money, if he could persuade the chancellors and registrars to tax themselves voluntarily to an amount of from 3 to 5 per cent, but this ingenious suggestion had met with no response. The Bill was identical with the one which passed through the House of Lords last year, and it ought at least to receive respectful consideration, especially as it had passed unanimously with the approval of the Episcopal Bench and the Lord Chancellor. It was unfortunate that Her Majesty's responsible Advisers could not undertake this subject. Lord Cranworth, when he was Lord Chancellor, did propose a measure dealing with ecclesiastical offices and fees, but an opposition led by the Bishop of Exeter defeated the Bill; and since that date no Government had introduced Bills of this character, they had been left to the Episcopal Bench or to independent Members of Parliament. But although the Government were not ready to take the responsibility of proposing a measure of the sort, yet he was sure that the right hon. Gentleman who now represented the Government in that House, would feel that practically responsibility attached to him on this subject. They must admit the importance of removing the discredit attaching to the Church from the abuses of the civil administration of its offices; and he trusted they would secure for the Bill a full and impartial consideration. This measure of reform in the Church could not be opposed on its principles, and he was ready to justify its details in Committee. The right hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cowper-Temple.*)

Mr. RAIKES said, he wished to offer a few observations as an independent Member of the House, and not as in any way connected with the Government or any other organized body. No one would be unwilling to admit that the right hon. Gentleman opposite (Mr. Cowper-Temple), had stated his case very fairly in introducing the Bill; but at the same time, he (Mr. Raikes) thought there was some reason for complaint against those persons who agitated that question outside of the House for pushing forward the Bill in that particular shape at that particular moment. The measure provided for the reduction of ecclesiastical officers and the remuneration of the surviving officers; but another part of it related to the Provincial Judge, and he doubted very much whether, if the circular of Dr. Tristram had been more successful, this Bill would have appeared at the present moment in either House of Parliament; and he confessed that he thought it would never have seen the light at all if it had not been necessary to provide a larger salary for the Judge of the Arches Court. He considered that that Judge should have a suitable stipend; but he was at a loss to see why the salaries of other persons should be diminished in order that the stipend should be provided. When the Public Worship Regulation Act was proposed, the subject of that salary was withdrawn from it, and it was left to the generosity of the public, or the future wisdom of Parliament, to fill up the vacuum. He did not see why an Ecclesiastical Judge, whose appointment was regarded as of great public importance, should not be paid by the nation, or, if that was not acceptable, why should not the Archbishops and other members of the Episcopal Bench, who had always clamoured, if he might use that phrase, for the appointment of an Ecclesiastical Judge, be called upon to pay towards his salary. There were other grounds for deprecating the introduction of a Bill at this time in reference to these fees. The matrimonial laws would have to be amended, and the fees in respect to them would have to be dealt with; and, therefore, he thought they should wait before making the particular changes now proposed. Moreover, reference had been made in the Press to the supposed intention of the Government to bring in a Bill for the creation of new Sees, and it would be desirable to know what the new Sees were to be, before dealing finally with the matter now before the House, and the fees which would have to be paid to the officials. As to the payment of fees by churchwardens, he thought it would be desirable to abolish them. There were 10,000 parishes in England, and their churchwardens' fees, the collection of which was very difficult, formed a very small portion of the total of £40,000 collected. The payment of money by stamps would be a difficult matter to carry out all over the country, and he did not see that the Bill provided for it. He admitted that some of the proposals in the Bill would effect certain improvements, but he had suggested good reasons for pausing before they attempted to legislate. With respect to the Bishop's chancellor, they were told that in future he was always to be a person learned in the Civil Law. If that was to be construed literally, he supposed it would mean that he was to be a D.C.L., a degree frequently bestowed *honoris causâ*, and which was not enjoyed by some of the first lawyers of the day. It would therefore be restrictive, for while it would, to a great extent, exclude the members of the English Bar from holding it, it would not prevent clergymen who had taken that degree from doing so. Beyond that, there were many well-qualified persons who had not the degree of D.C.L., while many who possessed it were wholly unqualified. Some Bishops seemed disposed to ignore the real duties of the office of chancellor, as in one case the chancellor had been appointed the head of a theological College, and that he considered was objectionable as the duties of two such offices were very different. The functions of the Court of the Bishop's chancellor in regard to the personal status of the clergy had been described as more analogous to those of a court-martial in regard to the personal status of officers of the Army than anything else, and he thought the Army would object strongly to having all matters relating to military discipline judged by the nearest magistrate. The clergy had a right to be heard before the appointment of clerical chancellors was done away with. He disliked the proposed union of registrar and Bishop's secretary, as the duties of the two officers were wholly distinct in practice. He granted that a Bishop's secretary ought to hold his office during pleasure; but he thought that the office of registrar, now held during good behaviour, and which was one of the best parts of our ecclesiastical system, had better be kept on its present footing. Upon the general question he wished to observe that there was a great disposition in the country to believe that these fees were excessive, that they pressed hardly upon the clergy in particular, and that they were received by pampered officials who did little and were largely paid; but, whatever might have been the case in former times, that was not so now. The large fees had been swept away by the Acts which constituted the Probate and Divorce Courts, and the registrars did not receive now more than from £500 to £600 a-year, and they did a large amount of work. In conclusion, the question before them, affecting as it did the position of a body of men not largely represented in the House, was one of considerable importance, and their interests ought not to be disposed of without careful consideration and further inquiry.

SIR WALTER BARTTELOT said, if there were one thing more clear than another to be learnt from the two speeches which they had heard, it was that there was an absolute necessity for a change in the law in regard to this subject. The measure proposed to abolish churchwardens' fees, which caused great dissatisfaction in the country, and that fact alone should commend the Bill to the consideration of the House. No doubt it would be highly improper to take away the emoluments of these different classes of persons, without giving them an opportunity of being heard; and remembering also that that was a question of much difficulty, it having been under consideration for some 30 years, he thought it could only be satisfactorily dealt with by practical men, and he should have greatly preferred it if the Home Secretary had taken its settlement in hand and brought in a well-considered measure on the subject. But, thinking as he did, that there was a want for the measure, he would venture to hope that it would be referred to a Select Committee, so that all parties whom it affected might have the opportunity he had referred to, and where everything would be well considered, and as this could be done early in the Session, he should hope to see a good Bill passed this year. Everyone who had read this Bill as it now stood, must come to the conclusion that in its present shape it was very objectionable, very unfair, and could not be allowed to pass.

Mr. GOLDNEY congratulated the right hon. Gentleman the Member for South Hampshire (Mr. Cowper-Temple) on having brought forward the Bill at so early a period of the Session, because it would give the House an opportunity of fully considering the subject. Other measures of the same kind had usually come down to that House at the end of July when it was impossible to consider them. Frequent attempts of late years had been made to deal with the subject, and in 1872 the right hon. Gentleman the present Home Secretary, before he held office, sought in an admirable manner to grapple with it. For a long time past there had been loud complaints against these ecclesiastical fees, which were often exacted for little or no real service performed. The sums now received by various ecclesiastical officials who filled places which had existed for a long period, but many of whose offices were now practically gone, amounted to about £80,000 a-year. Of that sum £40,000 came from marriage fees, about £15,000 from the clergy on admission to their benefices, £13,000 from visitation fees, £3,000 from consecration fees, and the rest from minor sources. In the various dioceses the secretaries of the Bishops received on the average about £400 a-year each; the chancellors about £300, the registrars about £800, and the apparitors and surrogates smaller sums. One officer did his work by deputy, another provided parchment, another provided the seal, another fixed the seal, and so on, the total amount they obtained from the public being, as he had said, no less than £80,000 per annum. The office of Bishop's secretary was entirely a modern creation, and those officers ought therefore to be paid either by the Bishops themselves, or from the funds in the hands of the Ecclesiastical Commissioners, and certainly not by fees. It was absolutely necessary to have a Provincial Judge, and also in each diocese one chancellor; but they ought not to keep up useless offices in order to levy fees from the public for marriage licences and other matters, or from clergymen who were instituted into benefices, the new incumbent having, what with dilapidation charges and other expenses, quite enough to bear without that further impost. Much dissatisfaction was sometimes caused in respect to consecration, and in one instance a hon. Gentleman, a Member of that House, had built a church, and when the time came for its consecration the Bishop of the diocese could not attend and he had to apply to the Bishop of the adjoining diocese, who performed the ceremony; but the consequence was that the Gentleman who built the church had to pay the consecration fees twice over, once for each diocese. That was a specimen of the abuse of this system that required to be abolished. This measure had been introduced into the other House with the sanction of the Bishops, and, also, he understood, with that of a great number of the officials concerned, who were themselves willing to have their duties and their fees better regulated. Let the House, then, get rid of offices to which no work was attached, and only retain those in which real duties had to be performed. He thought the simplest mode of proceeding would be for the Ecclesiastical Commissioners to ask the Bishop what official aid he required, and then, having obtained duly qualified persons, to pay them for their services. They should do that now, without waiting for any prospective and undefined changes in the marriage laws, which had, after all, nothing to do with the matter now before them. He anticipated great benefit from referring the Bill to a Select Committee.

MR. BERESFORD HOPE, while recognizing the moderation and calmness of the hon. Mover, contended that there were incidents connected with the contents and with the introduction of the Bill which called for inquiry, and he trusted, therefore, that the Bill would be referred to a Committee which would have power to take evidence. He spoke especially to the letter, also referred to by his hon. Friend the Member for Chester, from Dr. Tristram, the chancellor of London, and therefore the highest but one of all our ecclesiastical Judges, and a man who was competent to know what he was talking about in such connection. His letter was not intended for publication, and therefore no doubt contained the undisguised and innermost thoughts of the writer—and there was something fresh and innocent in those inmost thoughts of so venerable a Judge. Dr. Tristram alleged that the whole intention of the Bill was to find a salary for Lord Penzance, and that if all the ecclesiastical officials would unite in a subscription for Lord Penzance, nothing more would be heard of the Bill. But the Bill had been heard of again, so clearly Dr. Tristram's scheme must have broken down. Still, there remained his statement, with all the weight of his authority; and there was the diametrically opposite statement of his right hon. Friend. A Committee was clearly needed for settling the question whether, as Dr. Tristram said, the 52nd clause was the Bill, and the rest merely what in the language of editors was called "padding;" or, as the right hon. Gentleman held, the rest of the Bill was the Bill, and the 52nd clause the "padding." The proposal to pay the Public Worship Regulation Judge by fees touched consciences and feelings, and was not to be measured by the simple amount of money involved, while, on the other hand, to abolish offices for the mere sake of cutting down something seemed to him poor economy. Then he thought the hon. Member for Chippenham had argued with less than his usual acuteness in protesting against consolidation, as if that were not the more convenient, while equally effective way of effecting reduction, while simple abolition would be alike rude and unsatisfactory. In regard to Lord Penzance, everyone who had the welfare of the Church at heart would regret to see the question of a revision of fees mixed up with the unfortunate controversy which had been raised in connection with the Public Worship Regulation Act, as if there were no other way of providing its Judge with his stipend. The appropriation of marriage and other fees to the payment of the Judge entrusted with the working of that Act would lead to much dissatisfaction. It aggrieved the laity, from whom the large amount in the way of marriage licence fees would proceed; and it aggrieved the clergy, who were called on to pay for a new penal jurisdiction created for their own "regulation" or, as they might think, oppression. How could the right hon. Gentleman justify his proposal to have the brand of discord lighted at the torch of Hymen? Or how would a clergyman on his induction enjoy being forced to help to pay the Judge by whom he might be expelled? Such a provision was like telling a man that the costs of his trial and conviction could be paid out of his own goods, like costs in a civil suit. Those most unhappy prosecutions which had recently agitated the Church, were the shame and the regret of all right-minded and quiet people; and yet they here attempted to impart the memorial of them into a statute which ought above all things to be kept free of strife and dissension. It was a very great mistake, he might even say a political blunder, to hamper the Bill with burning questions, and if only to raise it out of that atmosphere of contention, he should be glad to see it sent to a Committee having power to take evidence.

MR. MONK said, he rose principally to correct one or two inaccuracies that had occurred during the debate. His hon. Friend opposite (Mr. Beresford Hope) had wished Dr. Tristram to be examined, but if the hon. Gentleman had read the evidence that had been taken last year he would find the vicar general of the Province had been heard at great length. He was glad to see that the fees for the admission of churchwardens were abolished by the present Bill, and he agreed with his hon. Friend the Member for Chippenham (Mr. Goldney) that the fees for the institution of clergymen to benefices should also be done away with. He would admit that Bill had many excellent features; but it was one of so complicated a nature that a Committee of the Whole House could not fully examine its provisions. He was glad, therefore, that the Bill was going before a Select Committee; but he hoped it would not be necessary to take any evidence, as a large amount had already been collected. With regard to the amount of the fees, those who were competent judges estimated them at only £45,000 and the highest estimate he had ever seen was £52,000, instead of £80,000, the sum mentioned by the hon. Member for Chippenham; but however that might be, it was very desirable that certain of these fees should be abolished, and he therefore, as he had said, approved of the reference of the Bill to a Select Committee.

Sir JOHN KENNAWAY in supporting the Bill, wished to point out that undue haste and spoliation were not fair charges to make against the promoters of the measure. It had been open for discussion since last Session, and it dealt most tenderly with existing interests. The question really was whether the Bill was a fair way of remedying a grievance which had long existed. It proposed to abolish or amalgamate offices only as they fell vacant by death, or lapsed in other ways, by which means 409 offices could be reduced to 100. A great reduction of fees must naturally be expected to follow, and it was estimated that on the fees payable by clergymen on institution and induction alone there would be a reduction of 33 per cent. In view of the great benefits which the Bill promised it was thought proper to set apart a certain amount of fees to provide for an adequate salary for the Ecclesiastical Judge, and that was a question which might very well be considered by the Committee. As the Judge did his duty, it was only right that he should be properly remunerated; and it was to the interest of the Church that his status should be upheld. He agreed that the nation ought to pay the salary of the Judge, but so far this had not been proposed.

Mr. WHITWELL expressed his satisfaction that the Bill had been brought forward. The sooner these questions were settled the better it would be for both the Church and the community generally, as delay would only tend to aggravate the difficulties. There should not be a strict limit placed to the taking of evidence before the Select Committee, because it was desirable that all the circumstances of the case should be dealt with after mature consideration.

Mr. ASSHETON CROSS said, he could, at all events, speak on this question with an unbiased and unprejudiced mind, because long before the heated discussions which had arisen from a matter connected with one of the clauses in this Bill his attention had been called to the present subject. The more he looked into the question the more he was persuaded that, so far as the Ecclesiastical Courts were concerned, they were in the position in which all institutions were found that had not been reformed for a long period of years. Where there had been considerable neglect, the natural consequence was that a great sum of money was gathered from persons who could ill afford to pay it. To him it seemed as if a quantity of officers were appointed for the sole purpose of swallowing up the fees, and a quantity of fees imposed for the sole purpose of being swallowed up. He did not purpose to repeat the statements on the subject which he believed had met with the ready acceptance of the House in 1872, nor to endeavour to show that some large reform was necessary for the purpose of providing a remedy for the present state of things. He found that the Bishop of London introduced a Bill on the subject in 1847, another in 1848, and a third in 1849. The Government of the day then took up the question. The Lord Chancellor at that time (Lord Cranworth) brought in a measure for the purpose of regulating those Courts, and it was passed by a majority of 8. In 1869 Lord Shaftesbury introduced one Bill and the Archbishop of Canterbury another, and both were referred to a Select Committee. That Committee reported that one of the Bills should be proceeded with, but owing to want of time the Bill fell through. Lord Shaftesbury again brought the question forward in 1870, but as he was told that some information was required before it could be legislated upon, he had to put the matter off. He again brought it forward in 1871, but it could not be dealt with owing to the illness of the Archbishop of Canterbury. In 1872 he again introduced his Bill, and in the same Session he (Mr. Cross) brought it forward in the House of Commons. The hon. Member for Chester (Mr. Raikes) then made nearly the same speech as he had made to-day, and as he (Mr. Cross) could not concur with him in thinking that the time had not arrived for dealing with it in a satisfactory manner, it was hoped that, after those five years of grace which had intervened, his hon. Friend would be content that the House should now really proceed to business. There were many matters which would require the greatest possible consideration. He was aware that there were considerable interests concerned, and he readily admitted that those persons who now held the offices should have their interests duly and carefully examined into and respected. He must, however, entirely dissent from the proposition that because a person held a particular office he had not only a vested interest in it, but was entitled to have it continued for his satisfaction to future generations. He did not want to mix up considerations with regard to the case of Mr. Tooth, in connection with Clause 52, or to make any remarks which would give rise to controversy; but in 1872, long before the Act which had been referred to had been passed, he made a proposition that the fees in connection with the procedure in Ecclesiastical Courts required material alteration. He showed that there was one case in which the costs amounted to £5,000, and another in which they exceeded £8,000. It was quite clear that sums of that kind practically rendered any judicial decision impossible. Quite irrespective of that Act of Parliament, some reform was necessary in order to cheapen procedure and avoid actual waste of money. Far be it from him to say that in wishing to cheapen the procedure, he wished to increase the number of suits. He did hope that the common sense of England would set itself against much litigation. He thought that the fewer suits there were the better, and that common-sense men of all parties would agree with him in that opinion. When they came to look at the amount of fees which were levied, the number of officers, and the amount of business done, the contrast was conspicuous. In the Chancellor's and Registrars' Courts the number of cases in 1869 was 12, and in 1870 it was only six. They did not want a very extravagant staff for that amount of business. This question had been before Parliament over and over again, and he wanted the House now to face it. He would, therefore, request that the Bill should be referred to a Select Committee, not with the view of shelving it, but with the view of remedying some of the defects to which reference had been made.

Question put, and *agreed to.*

Bill read a second time, and, on the Motion of Mr. ASSHETON CROSS, *ordered* to be referred to a Select Committee.

Motion made, and Question proposed, "That the Select Committee have power to send for persons, papers, and records." —(*Mr. Beresford Hope.*)

MR. COWPER-TEMPLE thought it would be a great mistake to agree to the proposal.

MR. ASSHETON CROSS said, it was not requisite that the Committee should have power to summon witnesses from every part of the United Kingdom, because the only result of such a proceeding would be that the whole question would be gone into, and the Bill be thrown over. It might be that the Select Committee, when they considered the Bill, might ask leave of the House to take evidence upon certain points. In the first instance, he was quite satisfied that it would be better to refer the Bill *simpliciter* to a Select Committee; and if they considered it necessary to take evidence on any particular point they could ask leave of the House to do so.

Motion, by leave, *withdrawn.*

GAME LAWS (SCOTLAND) AMENDMENT BILL.—[BILL 25.]

(*Mr. M'Lagan, Sir William Stirling Maxwell, Sir Edward Colebrooke, Mr. John Maitland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Lagan.*)

SIR ALEXANDER GORDON said, that as the present Bill did not agree with the Bill that was read a second time last Session, and as it included some amendments suggested by the Government last year, he concluded it would have their support. He thought it necessary to go somewhat in detail into the objections he entertained to the Bill. His first objection was to Clause 3. The Bill of last year was made applicable to tenants who held leases of one year's duration—yearly tenants; the present Bill was applicable only to tenants under a lease of not less than two years. The effect of the clause would be to throw out of the benefits of the Bill the small yearly tenants, the very class of people who suffered most materially from the damage done by game. Therefore, he did not think it would be fair to restrict the operation of the Bill to tenants holding under long leases only, or under leases of over two years. His next objection was to Clause 4, which dealt with the sole right of "hunting, taking, and killing rabbits, hares, and other game." The effect of the clause would be, that if the landlord reserved to himself winged game and hares—the usual reservation—he would not be able to fire a shot, either himself or his friends, at a crow, a wood-pigeon, or a rabbit during the whole period of 19 years. He asked the House whether that was a state of things which landlords were likely to accept? His next objection was to sub-section 3 of Clause 4. In this sub-section, the principle of last year's Bill was abandoned. The principle of last year's Bill was, that in order to reserve the sole right of shooting game, the amount agreed upon between the landlord and tenant that the latter was to suffer by the depredations of game must be stated in the lease, and upon that amount the landlord was to be assessed for rates and taxes; and it was pointed out that that provision would insure a just amount being inserted in the lease, because if the amount was too small the tenant would come in more readily to claim damages; and if it was high, the landlord would then have to pay taxes to that amount. The one was a counter-check upon the other. But in sub-section 3 of this Bill that principle was abandoned, and the landlord was allowed to reserve the game, or any part of it, or any part of the wild animals, without stating any sum as the amount to which he thought the tenant was likely to suffer from the depredations of game. The result would be, that the landlords would never put down any amount—because the Bill provided that where no amount was stated, 40*s.* should be taken as the amount of damage done, without any claim for compensation. The clause also provided that the damage must be shown to have been committed by that class of game or wild animals to which the reservation applied; that if the landlord reserved to himself winged game and hares, and gave up to the tenant the right to shoot rabbits, and to kill wood-pigeons and rooks, the tenant might demand from his landlord compensation for damage done to his crops. But the difficulty would be to prove what damage was done by the hares, which belonged to the landlord, as distinguished from the damage done by the rabbits, wood-pigeons, and crows, which belonged to the tenant. Everyone acquainted with the question knew the great difficulty of proving damage by game. The licensed valuators themselves who inspected the crops on behalf of the parties differed in some instances to such an extent, that it was difficult to believe they were speaking of the same thing—that was, as to damage done by game. Then the damage done by wood-pigeons was very great, and had greatly increased since the gun licence had been imposed upon farmers. They were unable now to destroy wood-pigeons. The consequence was that associations were formed in many parts of Scotland for the purpose of destroying the pigeons; they offered rewards for their destruction—1*d.* a-head for rooks and wood-pigeons and 6*d.* a-dozen for wood-pigeons' eggs. There was another thing which imported great difficulty into the question of assessing the amount the landlord had to pay—namely, the damage done by the tenant himself, or which occurred through his neglect or carelessness. In the case of sheep straying from the fold, for instance, or sheep breaking out of the paths, as they were called in Scotland, they would cause in one night a great amount of damage, and it would be hard that the landlord should have to pay for them. But no landlord could well prove that the damage had been occasioned by a flock of sheep straying out at night. There was another injustice which would be occasioned under this clause, which did not arise under the Bill of last year—namely, that arising from the necessity of a double proof, first, that the damage was done by the game reserved, and, next, that it was done by game which merely harboured on the land or came upon it from neighbouring land. By the Bill the landlord of one property would be liable to pay for the damage done to his tenant by game and wild animals coming from another man's property. That, he thought, was a very great hardship. Another objection was in reference to moors and grouse shooting though there were no crops on the moors. By this Bill, unless the owner of a moor reserved to himself the hares upon it, the tenant might come and shoot them although he had no crops which they could injure. That was very hard. Moreover, the Bill would be found practically inapplicable, because it would be set aside by "the regulations for shooting" in Scotland. Nearly all the proprietors in Scotland had regulations for shooting by which all tenants were bound when they took leases, and nothing in this Bill, so far as he could see, would set aside those regulations if the tenant accepted them, and unless he did accept them he could not get a farm. One of the regulations was this—

> "The tenant shall have no claim if the alleged damage committed upon him shall be held to have been done by hares or rabbits or other wild animals."

A tenant subscribing to those regulations would derive no benefit from the Bill now before them. Again, take Clause 4, as he had already shown, the provisions as to assessment were futile; and, further, it seemed to him that if the landlord reserved to himself the hares and winged game the tenant would be able to rear rabbits to any extent, and sell them in the market, after which he might come upon the landlord for the damage they had done as if it had been done by hares and winged game only. The hon. Member then proceeded to criticise the succeeding proposals of the Bill with great minuteness, objecting to the provisions respecting proceedings before the Sheriff if the tenant did not obtain compensation without; to the omission of provisions respecting pasture lands, although much damage was done by rabbits and ground game to spring pastures; to the power of obtaining interdict being given to the tenant against the landlord, and was not given to the landlord against the tenant. Coming to Clause 9, any person might be allowed by the tenant to shoot hares and rabbits without a licence. The effect of that would be very much to encourage poaching, for the poacher would only have to obtain a commission from the farmers in his neighbourhood to shoot rabbits on their account, and he could do so without obtaining a gun licence or a game certificate. That, he said, was a most objectionable state of things; but the clause was objectionable on another ground, for it contained a provision that, in point of fact, declared what was the present state of the law in Scotland. It said that from and after the passing of the Act every person should be free to destroy rabbits on his own land without a gun licence; but the fact was that the tenant occupying the land could now destroy rabbits without a licence.

MR. M'LAGAN: Not in Scotland.

SIR ALEXANDER GORDON said, he would quote the Act, as the hon. Member seemed to doubt him. In 23 & 24 *Vict.* c. 90, it was set forth—

> "The taking or destroying of conies in Great Britain by the proprietor of any warren whatsoever, or any inclosed ground, or of any inclosed ground whatever, or by the tenant of lands, either by himself or by his direction or permission," and so on.

MR. M'LAGAN said, that applied to the game certificate and not to the gun licence.

SIR ALEXANDER GORDON said, it was so. He saw he had fallen into a mistake. However, the Bill had undergone very important changes since last year, and although there was perhaps no Member of the House better acquainted with the subject than the hon. Member, still the circumstance that his proposals had undergone such considerable alterations showed that the hon. Member himself was still in a state of great uncertainty as to the best shape in which he could bring his proposals forward. There were two other Game Bills before the House, and he thought it would greatly facilitate the settlement of the question if Her Majesty's Government would consent to refer the three Bills to a Select Committee, with the view of seeing whether they could not present to the House a good practicable Bill that would be regarded as a permanent settlement of the question.

MR. J. W. BARCLAY said, that a great many of the points to which the hon. Baronet opposite had objected might be discussed and settled with much greater facility in Committee than in the course of a debate on the second reading of the Bill. He himself gave a general support to the Bill and intended to vote for the second reading; but, at the same time, he must tell the House that he did not think the Bill would be a settlement of the question with which it dealt. The propositions and arguments which the hon. Baronet the Member for East Aberdeenshire had directed against the system of valuation proposed in the Bill no doubt had great force. He (Mr. Barclay) could not speak as to the experience of his hon. Friend (Mr. M'Lagan) behind him, but certainly he could say from his own that he had never heard of any farmer being disposed to accept this system of valuation as a settlement of the question, or as one which was at all likely to become so. His hon. Friend (Mr. M'Lagan) knew very well—in fact, no one knew better—that it was practically impossible to value the damage done by game with any real approximation to accuracy; but certain statements had been put forward by the hon. Baronet and others, which it might be well to refer to. Even if it were possible to assess the actual damage done to the crops by game, the payment of that damage to the tenant, even where there might be no difficulty, would not be satisfactory, because it would not indemnify nor compensate him for the loss he had suffered. Every farmer knew that a large amount of consequential damage would not be covered by the payment of a sum for direct damage or loss from the injury done to the crop by game. The whole system of a farm would be thrown out of joint by the loss of the crop. It might be laid down as a firm proposition that no farmer would enter on a system of high farming if he had cause to fear that the crops he had to spend his money in raising were likely to be damaged by game, even although he might have the assurance provided by an Act of Parliament that he would receive compensation for the direct damage. He did not propose to criticize the clauses or details of the Bill, but there was a principle involved in the 4th clause to which he wished to direct attention—that was, the question as to the sole right of taking and killing game and rabbits. Under this provision of the Bill, he understood that the landlord must either preserve game and wild animals exclusively, or he must hand them over to the tenant, to be his exclusive property. In that case the landlord, in handing over the game to the tenant, and giving him power to prevent any great increase, would at the same time be prevented from killing any himself or allowing his friends to do so. Now, so far as he understood the feeling of the farmers, it was this: They did not desire to have the possession of game or wild animals for the sake of their value—what they wished was, to have control over them for the purpose of preventing any increase of game such as to an appreciable extent would be injurious to their crops. Such being the case, they would have no objection whatever to an arrangement whereby the proprietors should share with them the privilege of shooting over their farms. He would suggest to his hon. Friend (Mr. M'Lagan) whether in Committee the Bill could not be easily modified so as to meet that objection. Another objection he had to the Bill was, that it dealt only to a limited extent with the Game Laws in their criminal aspect. In those laws at present there were certainly very many objectionable features, and it would be extremely desirable that any new Act of Parliament should deal with them. He recognized the very great importance of the principle embodied in the Bill, that Game Law cases should be dealt with by the sheriffs instead of by the justices. During the past winter there had been some extraordinary cases of oppression under the Game Laws, and, looking to the reports in the newspapers, the decisions and convictions arrived at seemed to him to have been founded on very slender and insufficient grounds. As the Bill touched on the jurisdiction of the justices, it would be more satisfactory to all parties if that jurisdiction was transferred to the sheriffs entirely. But the chief reason why he supported the Bill was, that it asserted the principle of the right of Parliament to interfere in contracts between landlord and tenant, and said that the landlord should no longer have the right of dictating such terms to the tenant as he might think fit, or saying that whatever damage he might sustain he should receive no compensation. It would be a great gain to have the principle clearly laid down, that if a landlord was to preserve game, he should at least specify the amount of damage which the tenant might be called on to suffer before he had the right to claim compensation. With reference to what fell from the hon. Baronet the Member for East Aberdeenshire he understood the Bill would override the private contracts and, so far as it went, supersede those rules and regulations to which the hon. Member referred. On these grounds principally he supported the second reading of the Bill. He did not believe it would settle the question finally—but he thought the operation of such an Act would do very considerable service indirectly—just as the amount of discussion and agitation which had taken place on the Game Laws of late years had done much to diminish the excessive preservation of game which formerly took place in many parts of the country. The provisions of the Bill, if they became law, would probably have an indirect effect in causing a considerable improvement in the present state of affairs; although he had no doubt that exceptional landlords would still be found who would cause much disturbance and heartburning and bad feeling, as they did at present. He thought it would be far better to pass a comprehensive law based on this principle—namely, that the preservation of hares and rabbits by tenants at their own expense for the benefit of their landlords was an arrangement of so indefinite a nature as not to possess the true elements of a contract, and that, therefore, Parliament would refuse to recognize such an arrangement at all. For the reasons he had stated, believing the Bill would do a certain amount of good, he would support it.

COLONEL ALEXANDER said, that some years ago he was under the painful necessity of initiating the opposition to the measure of his hon. Friend the Member for Linlithgowshire, and therefore he had additional pleasure, on this occasion, in offering him his humble support. They ought to feel grateful to him, not only for the care he had bestowed in endeavouring to find a panacea for this evil, and a solution of this thorny and complex question, but also for consenting generously to abandon some of his most cherished convictions in order to contrive a compromise to reconcile opposing and conflicting interests. He (Colonel Alexander) trusted that all hon. Members on either side would meet the hon. Gentleman in the same spirit, and that they would cheerfully abandon any of their own pet crotchets and inventions, and heartily co-operate with him in endeavouring to meet and grapple with the difficulties of this, to Scotland at least, most important and momentous question. Not that he was sanguine enough to believe that this Bill would satisfy the whole of Scotland. No doubt there were some extreme politicians who said they would not be content unless what they called the inalienable right to the game on their land was conceded to them. A gentleman, who was the leader of the party in the county which he had the honour to represent (Ayrshire), recently wrote to say that he perfectly agreed with him that all the measures proposed as a remedy for the evils of the Game Laws up to the present were shams; and he added that the proposal which he (Colonel Alexander) supported at the time was, perhaps, the greatest sham of the whole—that being the proposal supported by the noble Lord the Member for Elginshire (Viscount Macduff) for the concurrent right of landlord and tenant to the ground game. The gentleman he alluded to said he was perfectly content to wait patiently for what was the only true remedy—namely, the result of the ballot-boxes at the next Election. That statement probably would hardly be satisfactory to the noble Lord the Member for Elginshire. The noble Lord said on that occasion that if that—concurrent endowment of landlord and tenant—was done, higher questions than hares and rabbits would take their place in Scotch county elections, and that that miserable bone of contention would be for ever buried. The noble Lord was young and sanguine, but if he expected all agitation on the Game Laws to cease, he would be like the countryman who waited for all the water in the river to flow past. But because they could not please everybody, were they not to attempt to please anybody? He thought this measure was calculated to please all those who would rather have half a loaf than no bread. As to what was called "the inalienable right" of the tenant to the game on his land, he was sure Parliament would never listen to or sanction such an immoral proposal. No good tenant in Scotland—and almost all were good tenants—would take advantage of such a measure — the only people to profit by it would be a small class of men—men to be found in every community—who were totally unable to realize the pride felt by an honest man who felt that his word was as good as his bond. It had been said that this Bill interfered with freedom of contract; and the hon. Member for Forfarshire (Mr. Barclay) based his support of it on that ground. He (Colonel Alexander) did not possess the microscopic vision of the hon. Member for Forfarshire, and he was quite unable to see in what way the Bill interfered with freedom of contract. The noble Lord the Member for Haddingtonshire (Lord Elcho) said last year in his speech on the Bill that free Englishmen should not be interfered with in their bargains by the State, but that they would be so interfered with under the provisions of that Bill. Now, if this Bill should become law, all that the State would say to individuals was—"You are at perfect liberty to make any contract you please; we do not interfere with you, but we require you to state your agreement in such precise and unmistakeable terms that we shall be able to bind both parties to the fulfilment of the agreement." The State did not interfere with the contract; it only enforced it after it had been made. Some hon. Members were not aware that in Scotland, although not in England, the tenant was even now empowered to claim compensation for any damage done by excess or super-abundance of game on his land. All that this Bill did was to afford a cheaper and more expeditious mode of obtaining compensation than existed at present. He could not for the life of him see how this Bill interfered with freedom of contract. What were the alternative proposals? He had already dealt with the subject-matter of the inalienable right; but even if that were conceded, what was to protect the land of the non-sporting man from the ravages of the game committed on the land of his sporting neighbour? Such a concession as the so-called inalienable right would not only be immoral; it would also be useless. Then there was a proposal to exclude hares and rabbits entirely from the game list. That was a proposal conceived principally in the interests of the poacher, who would be free to ramble at his will and pleasure over the land, confident that any damage he might have to pay under the Trespass Act would be more than re-imbursed by the game he could appropriate. The Committee which sat three years ago under the presidency of the First Lord of the Admiralty fairly stated the difficulty of making game property. They said—

> "It would be difficult to confer on game all the attributes of property, and it would be unreasonable to include in the category of property animals which, by their own act, can transfer themselves to the property of others."

There remained, then, the proposal of concurrent right, which he (Colonel Alexander) was at one time disposed to support; but he now thought there was one fatal objection to it—that there would be great facility for evasion. In any case, he did not think that plan could compete with that proposed by his hon. Friend. In regard to the transfer of jurisdiction, he was assured that the grievance felt on this head was inappreciable; but as a good deal of feeling had been aroused on the matter, he would agree to abandon that jurisdiction, which the great majority of the magistrates did not desire to retain. He did not entertain any apprehension that the magistrates would feel themselves placed in an inferior position to their English brethren on account of parting with this portion of their jurisdiction. In regard to cumulative penalties, it was proved before the Committee to which the hon. Member for Forfarshire (Mr. Barclay) alluded, that they had been rarely exacted. Therefore, there was no necessity for retaining them on the Statute Book. Moreover, the magistrates were apt to show undue leniency if they felt that the prosecution was likely to be carried further, and cumulative penalties demanded. It had been said that at present any landlord could give compensation for damage done by game; and he concurred in that remark, for he knew that in many leases clauses were inserted entitling the tenant to reasonable compensation for damage done by game; but then the question arose—What was reasonable? They all knew that what appeared reasonable to one man was not so to another. The Bill of the hon. Member proposed a simple and efficacious remedy for what had been hitherto doubtful. This measure had been now before the House and the country for 12 months; its provisions had been well discussed, and he thought they had for the most part met the approval of Scotland. He hoped the Government would, after pointing out any amendments they thought desirable, assent to the second reading of the Bill, and he trusted that hon. Members from England and Ireland would remember one statement made by the Committee of 1873—namely, "That they found in Scotland a much stronger feeling had been evoked in regard to the preservation of game than in England." He trusted, therefore, that the House would no longer trifle with this important question.

MR. GRANT DUFF said, he should support the second reading of the Bill; but he did not rise to make any general remarks upon its provisions, for he saw that it was likely to obtain considerable support from both sides of the House. He rose simply to bear testimony to a simple fact—to the fact, namely, that the speech of the noble Lord the Member for Elginshire (Viscount Macduff), of last year, to which the hon. and gallant Member who had just sat down (Colonel Alexander) took exception, exactly represented the views held by the great majority of the Liberals in the three north-eastern counties of Scotland, and, he believed, the views of a large portion of the Conservative country population of those same counties.

MR. RAMSAY said, that in his opinion the principles embodied in the Bill were well calculated to provide a practical remedy for an admitted hardship which occurred under the existing law. That hardship arose from the circumstance that, under the existing common law of Scotland, a tenant was entitled to compensation for any damage done by game, should the game have been increased during the currency of his lease beyond the point at which it stood when he entered upon his lease. But hon. Members would readily understand the difficulty which must occur in proving that an increase had taken place. A large amount of the irritation and heart-burning which had arisen in Scotland with reference to the Game Laws, as a whole, was due to the circumstance that when a tenant came into court and sued his landlord for damage done by game upon his land, he was met by the insuperable difficulty of proving that the damage done at the time when he brought his action had increased beyond the amount of damage done at the period of his entrance upon his farm. Now, the Bill did provide a remedy for that defect in the administration of our existing law. It provided that the amount of damage done by game at the date of the tenant's entrance on the land should be specified in the lease, and if it should be determined that a greater amount of damage had been done by game than that which was specified, he should be entitled to receive the difference from his landlord. It was on that account that he valued this Bill very highly. With reference to the other principle adopted in this Bill—namely, the transfer from the Justices of the Peace of jurisdiction in respect of offences against the Game Laws—he concurred with the hon. and gallant Gentleman the Member for South Ayrshire (Colonel Alexander) when he said that the majority of the Justices of the Peace in Scotland were quite willing to be relieved of that part of their duties. He could see nothing derogatory to them in the proposal that this jurisdiction should be transferred. Much of the criticism which had been passed by the hon. Baronet opposite (Sir Alexander Gordon) upon this measure could be satisfactorily met in Committee. He heard the hon. Member for Forfarshire (Mr. Barclay) with some surprise state that his reason for supporting the Bill was that it did interfere with freedom of contract. He (Mr. Ramsay) regretted to hear the expression of such a sentiment in that House. He should be very loath to support any Bill which aimed at placing the farmers of Scotland under a system of tutelage, under which they would have done for them by law that which they were quite competent and willing to do for themselves. But he had other objections to the Bill, which would be better stated in Committee. In particular he agreed with the hon. Baronet opposite, the Member for East Aberdeenshire, in objecting to the proposal to apply a different law to the tenant from that which was applied to the landlord. Why should the landlord be denuded of any legal remedy for the enforcement of a contract into which a tenant voluntarily entered, while the latter was to have full liberty to apply such a remedy as against his landlord? He thought anything more unfair could hardly be proposed; and if no other hon. Member should take exception to that provision, he would move in Committee that the 8th clause be omitted from the Bill. There were other points upon which he might dwell; but as they would have ample opportunity in Committee to discuss the details of the measure, he would not occupy the time of the House further than to say that he should give his cordial support to the second reading.

MR. MARK STEWART said, that he ventured to differ from some hon. Members opposite, and also from his hon. Friend behind (Sir Alexander Gordon) with regard to the course Her Majesty's Government would adopt on this Bill. Although we had had until now but one speaker from behind the Ministerial benches, and he had spoken in a spirit hostile to the principle of the Bill, he could not help thinking that the Government, taking into consideration all the measures which had been so frequently discussed in this House and the counties with regard to the question of the Game Laws in Scotland, and seeing nothing had been yet done, would support the second reading of the Bill. It could not be denied for one moment that this Game question occupied a very prominent place in all political addresses of hon. Members in Scotland; yet, although this Parliament had been sitting now for more than three years, no attempt on the part of the Government had been made to pass any measure which could be said to afford any amount of relief at all to the tenant-farmers of Scotland in this matter, and this consideration ought to induce the House to interpose in favour of this Bill at this moment. It would be a matter of satisfaction, at least to the farmers of the North, where high rents had to be paid, and a large labour bill and vast outlay had to be incurred, if the House of Commons at the present moment were prepared to legislate finally on the question. All who had any knowledge of agriculture knew perfectly well that unless the crops were reasonably protected from the ravages of hares and rabbits and other game, the tenants could not reap the benefit of the large capital which they put into the land. If that protection were given, it would give not only gratification to them, but would show to Scotland that the pledges given by Scotch Members with regard to this question were not allowed to remain unfulfilled. His hon. Friend the Member for Aberdeenshire talked of the Bill as if it only applied to his own particular county. Of course, he (Mr. M. Stewart) could not be as cognizant as his hon. Friend was of the state of that county, but he knew that the Bill would very much assist many counties in the Southern parts of Scotland, and would give more satisfaction than other Bills introduced into that House. The hon. Member for Forfarshire (Mr. Barclay) had made a speech in which, while he supported the principle of the Bill, he disclosed a strong predilection in favour of his own pet measure—of which, however, no Notice appeared to have been given for the present Session. All knew that the feeling of the House in past Sessions was antagonistic to the principles of the hon. Member's measure; they also knew that it would be impossible to bring forward at the present time a Bill proposing to interfere with freedom of contract with any chance of passing. Therefore, he did not think that they would hear very much more of the Bill of the hon. Member for Forfarshire, or of measures of that character. But here they had a Bill which he maintained did not interfere with freedom of contract. He need not repeat the argument which had been so well stated by the hon. and gallant Member for South Ayrshire (Colonel Alexander). He thought it quite clear that if contracts were entered into by two parties, all that Parliament could do was to see that they were reasonably carried out; and that was all that was proposed in this Bill. The hon. Baronet the Member for East Aberdeenshire (Sir Alexander Gordon) had pointed out many objections that arose to the working of the Bill. He told them they would not be able to distinguish between damage done by hares and rabbits, and that occasioned by sheep. He (Mr. M. Stewart) knew no practical farmer in or out of the House who would tell them he had any difficulty in distinguishing the teeth marks of the animals which had bitten a turnip. Then his hon. Friend took exception to the proviso that notice should be given within three weeks.

SIR ALEXANDER GORDON: Will you allow me to say that damage done by game is within three weeks, the damage done by sheep and their feet marks may be six months.

MR. MARK STEWART said, he said teeth marks, not sheep marks. He understood his hon. Friend that he had great objections to that term of three weeks—he seemed to argue it was more than three weeks, and his first argument went to prove that. Now, within three weeks might mean the very next day after the damage had been committed; it did not necessarily follow that it was up to the time of the expiry of those three weeks. Then, again, his hon. Friend said that the Bill did not touch the Game regulations of that part of the county with which he was connected. Well, if it did not, why take so much exception to it, and why find so much fault? He (Mr. M. Stewart) could again tell him it favourably affected many other parts of Scotland. Among other instances, he objected to that clause which prevented proceedings being taken against a tenant by interdict. That was a question which would have to be more fully discussed. He (Mr. M. Stewart) thought there was a great deal to be said on both sides of the question. It was at times a very great hardship to proceed against a respectable young tenant-farmer, whose only fault was that he had amused himself beyond the verge of prudence; but, on the other hand, there were many who did not care for a small fine which would be imposed by civil action, and therefore who would practically escape the law altogether. There was only one more point to which he (Mr. M. Stewart) wished to draw the attention of the House, and that was with regard to the feeling of the magistrates on the subject of any transfer of their jurisdiction. As far as his experience of magistrates went, he could not believe that there was that strong emotional feeling which was described last year from the front bench against the taking away the power and authority of magistrates. He did not think that among the Scotch magistrates at least—who had very much less magisterial work than those of England, and who very seldom met in quarter sessions or petty session—he could name one who would in the slightest degree feel aggrieved if this jurisdiction, often invidious and disagreeable, were taken away from him, or who would consider he was having any portion of the dignity of his office removed. He had much pleasure in supporting the hon. Member for Linlithgowshire (Mr. M'Lagan) in his endeavour to pass this Bill into law, and thanked his hon. Friend for introducing it.

COLONEL MURE said, he entirely concurred in the expression which fell from the hon. and gallant Member for South Ayrshire (Colonel Alexander) when he said that he thought the hon. Member for Linlithgowshire had grappled with the subject in such a manner as to afford a fair prospect of its being brought to a satisfactory conclusion. The Scotch Members were greatly indebted to the hon. Member for his persevering efforts. There was one remark which fell from the hon. Member for Forfarshire (Mr. Barclay) with which he could not agree. The hon. Member said he felt gratification in finding that Parliament was invited to step in to interfere with the freedom of contract. Now, if there was one thing which he disliked in the Bill it was that it had been thought necessary that Parliament should step in to interfere with the right of contract. The whole difficulty, however, in connection with the Game question in Scotland had undoubtedly been that of defining what the damage was. He thought, on the whole, that the landlords of Scotland were reasonable, and that, on the whole, the tenants were reasonable; but when the matter of contract was brought before them the great difficulty had always been to define the amount of damage; and that was a point which the hon. Member for Linlithgowshire had successfully grappled with in his Bill. For that reason, he was disposed to waive his dislike to the indirect interference with the freedom of contract which undoubtedly was to be found in the measure. One good feature of the Bill was that it assimilated the law of Scotland to the law of England. In Scotland, tenants had always pointed it out as a grievance that the prior right to the game did not belong to them, whereas in England the tenants had that right. That had always been a grievance with the Scotch farmers. But if there was one provision of the Bill more valuable than another, it was the transfer of the jurisdiction in Game

Law cases from the magistrate to the sheriff. No persons could desire to do their duty more impartially than the magistrates of Scotland, but most of them were proprietors of land, and probably game preservers; and when a game question came before them, no matter how strong their desire might be to act impartially, they formed a tribunal to a certain extent tainted. They were interested in one view, and the tenant was interested in another. One point to which he desired to direct attention was the question of crops. The Bill applied to growing crops only, but in a large part of Scotland the growing crop was grass. The Scotch—at least in that district from which he came—were now competing with Gloucester and Cheshire farmers. The cheese-making in Wigtownshire and Ayrshire was one of the great industries in Scotland, and any practical farmer here would agree with him that nothing could be more grievous or disheartening to the tenants of Wigtownshire and Ayrshire, who had entered into competition with the great cheese-making counties in England, than to find themselves thwarted in the competition by the injury to their crops which all kinds of game—hares particularly—unquestionably did in some Scotch districts. In this view it was even more important that the Bill should apply to growing grass than to the crops to which it referred. Another reason why he approved this Bill was that it set aside entirely the idea that hares were to be removed out of the protection of the Game Laws. Nothing in his mind would be more injurious to the tenant. In the populous part of Scotland where he lived, he had no hesitation in saying that a proposal of so sweeping a nature would be far from satisfactory to farmers as well as to landlords. The agitation about game in Scotland was not now nearly so great as it used to be. The reason was that the discussion on the subject, and the growing common-sense of the landlords and tenants had resulted in their taking a far more reasonable view of the Game question than they did some years ago. He remembered, when discussing the policy of the different Game Bills before Parliament previous to the General Election, when the Game question formed one staple of political discussion—which was perhaps one of the worst features of the unsettled condition of this question—several tenant-farmers implored him not to persist in a design he had formed of removing a game-keeper from his property; for they said—"If you move him we shall have our farms swept by poachers, our gates and fences destroyed, and we shall have no protection whatever for our property." That was a fair illustration of the point he wished to impress on the House—namely, that farmers, while attaching great importance to protection from the ravages of hares and rabbits, also attached great importance to the protection afforded them by the Game Laws. There were points in this measure, no doubt, which could be amended in Committee—in particular he recommended for consideration the point with regard to grass crops—but he must again congratulate the hon. Member on having brought in his Bill, and hoped it would pass the second reading.

Lord ELCHO said, he agreed that it was desirable that this game question should be settled, for it was a source of heartburning to Scotland. The hon. Member for the Falkirk Burghs (Mr. Ramsay) entirely expressed his (Lord Elcho's) own opinion when he said it was not wise to do for men what they could do for themselves. That was sound policy which should guide legislation on this subject. In regard to any general legislation upon it, he thought it would be better left in the hands of the Government than in those of private Members. There was a mass of information in the Blue Books at the disposal of the Government, and if they would turn their hands to it they would elaborate from that a useful measure. He did not intend on this occasion to oppose the second reading of the Bill. Last year he thought it his duty to oppose it, and indeed he was asked to move its rejection on account of its interference with contract. Some said that it did still, and some said that it did not, interfere with freedom of contract. The same thing was said last year. To night they had had a very eloquent speech from his hon. and gallant Friend behind him the Member for South Ayrshire (Colonel Alexander). When he found Gentlemen whose views on this question of interference with contract were diametrically opposed to his own, supporting the Bill on the very ground that it did interfere with freedom of contract, he thought there was *ipso facto* good ground that the enemy was in the right, and that this unsound policy did exist in the Bill. The hon. Member for Forfarshire (Mr. Barclay) held the same language this year as he did last year upon this question of contract. The hon. Member for Forfarshire supported the Bill on the very ground that it did interfere with freedom of contract, though he thought it did not interfere enough. The hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) supported the Bill last year on the ground that it did interfere; but he thought that this year the interference was not so great, and therefore he did not like it now. But the hon. Member opposite (Mr. Barclay) thought it still an interference with contract, and that was why he supported the Bill this year, in full confidence that, when under not a "traditional," but some other sort of House of Commons, he would be able to push his principle to greater lengths. He (Lord Elcho) was bound to do this justice to his hon. Friend opposite the Member for West Lothian (Mr. M'Lagan), and to say that last year's Bill was evidently more clearly an interference with freedom of contract than this year's. The Government last year felt it to be so, and they put down words which, in their opinion, guarded this freedom of contract; and these words his hon. Friend had adopted. He (Lord Elcho) felt that till they heard the explanation of the Government as to how far they thought the words they put down last year did or did not protect them from that interference with contract, it would be impertinent on his part to maintain that it had not given that protection. The Government had been placed in their present position mainly because the country trusted to them to maintain the security of property and the freedom of making contract between man and man. That was the principle they had upheld in the Agricultural Holdings Act, and the House had a right to expect from them that they would allow no legislation to pass which infringed the principle of liberty for sane full-grown men to make their bargains with each other. In the confidence that the Government would be careful to guard against this interference, he would accede to the second reading of the Bill.

VISCOUNT MACDUFF was understood to say that he had not had the good fortune to hear the remarks of the hon. and gallant Member for South Ayrshire, but he understood that he had taken exception to something which he (Viscount Macduff) had said last year when this Bill was under discussion. He rose, therefore, to say that he adhered to everyone of the opinions he then submitted to the House. He added that he was certain that this question would never be settled by any Bill which was not drawn up on the lines of the one which had been introduced into the House by the hon. and gallant Member for East Aberdeenshire.

THE LORD ADVOCATE: It is not the intention of Her Majesty's Government to offer any opposition to the second reading of the Bill which has been introduced by the hon. Member for Linlithgow. But in consequence of some observations that have been made in the course of this discussion, and in consequence of what has fallen from the noble Lord the Member for East Lothian (Lord Elcho), it is absolutely necessary that I should say something with regard to the position we occupy in relation to this Bill. It has been said that all the Amendments of which Notice was given by my Predecessor in office last year have been given effect to in the present Bill. That is so far the case; but I must call the attention of the House to the fact that these Amendments, of which Notice was given by the late Lord Advocate, did not constitute the whole of the objections which the Government had to urge against the measure. On the contrary, there were other objections stated by private Members against certain clauses of the Bill of very great importance, to which the objections then stated by the Lord Advocate were simply supplementary. I do not intend to go into details which may be discussed in Committee; but I think it is due to the hon. Member who has introduced this Bill to inform him fairly of the points which we conceive are still open to re-consideration, and which I now recommend to his consideration before this Bill passes on to a further stage. It appears to me that this Bill does not interfere in any proper sense of the expression with the freedom of contract. It makes—and this appears to me to be the leading principle of the Bill—what seem to me very fair and reasonable provisions for ascertaining the damage done by game as between landlord and tenant. That is a duty which is thrown upon the Courts of Law in Scotland, and I think the Legislature are quite entitled to require that in this matter the law shall be placed on such a footing that Courts of Law shall be able to deal equitably and fairly with these questions as they arise. Now, I venture to doubt whether at present the state of the law in Scotland is such as to admit of that fair and equitable treatment of these questions when they do arise, for under long leases of 19 years—which is the general duration of leases in arable and agricultural subjects—where there is no special stipulation for regulating game damages, the implied condition is that the tenant shall submit, without having the right to claim damages, to as much injury as could be inflicted upon his crops by the average stock of game upon his farm at the time when he entered upon his lease. And accordingly, about the 15th or 16th year of the currency of the lease, when the period of its duration has nearly expired, and a Court of Law is called upon to estimate damage due to the tenant, it may be quite a simple thing to estimate the loss occasioned by injury from game during the year in which the claim is made. But that is not the measure of the tenant's right. In order to obtain the measure of the tenant's right, you have to dispose of two very speculative questions—first, what the average amount of game was upon the farm 15 years before; and when you have ascertained that factor, you have in the second place to estimate how much that average stock would have eaten had it been upon the farm during the year for which the claim is made. And that which the present Bill appears to me, in its leading principle, to provide, is this, that after ascertaining the total damage done in the year for which damage is claimed, the parties themselves shall furnish the Court with a fair contract measure, in money value, of the amount of damage to which it is stipulated that the tenant shall submit, instead of leaving that amount a matter of implication and speculation. Accordingly, the Bill provides that it must be arranged by contract between the contracting parties what shall be the factor that is to be deducted from the actual damage done to the crop. That is not taking from the parties the liberty of contract. The Bill merely compels the parties who seek a remedy to settle in their contract what that remedy shall be. But there are some points in this Bill upon which objections were stated last year, and to these I shall very briefly advert, because it appears to me that as yet the Bill does not satisfactorily dispose of them. In the beginning of the 4th clause the words of the Bill apply to all land, whether arable, or grass, or stone, or heather, or moss, or whatever the composition of the farm may be. But when you come to the clauses regulating damages, the expressions used are limited to cereal crops and green crops. It appears to me to be a proper matter for consideration how far the scope of this Bill should be extended to all land, or whether you are to assimilate a deer forest or mere grouse land having heather upon it, to a farm where there are crops of various kinds, including grass, not being mere natural vegetation, but the results produced by capital, skill, and mechanical appliances. There are various other matters introduced into in this Bill which did not appear in the last. For instance—"wild birds," and also "wild animals." I am quite aware that there are wild animals which are very nearly allied to game, but these deer and roedeer it would be easy to name in a Bill like this. Still the words "wild birds" and "wild animals" are very wide. If I may say so, they cover everything from a wood pigeon to a sparrow, and from a roedeer to a rat. I can hardly think that this was seriously intended by the framer of the Bill. I would further suggest that the very introduction of wild birds is objectionable; and I think crows, sparrows, and so forth, ought to be omitted from the Bill altogether, for reasons which have already been stated in the course of this discussion. If these are to be retained, I fear that by this Bill—which in some respects is to my mind a very useful Bill—we shall only relieve our Judges from one onerous duty in order to impose upon them another still more difficult. Let me call the attention of the House to clause 5 of the Bill. The tenant is to give notice if he is of opinion that damage has been done to his crops by game, "wild birds, and wild animals harboured on the lands of the lessor in any one year during the lease." It might be difficult to tell how many head of game were on a farm 10 or 15 years before; but the duty that would be laid on a Judge who has to decide this matter, if he decides according to the letter of this clause, will be that of discovering out of a given number of crows or pigeons which destroyed the tenant's crops, how many and what proportion were harboured on the lands of the lessor, and how many on the lands of his neighbours. I would suggest to my hon. Friend that the Government cannot in Committee support any proposal of that kind. In regard to the mode of carrying out the provisions of the Bill, I appreciate the importance of a simple remedy, and shall be prepared to give my hon. Friend any assistance I can in devising means for attaining this desirable result. As to making the Sheriff's judgment depend on the valuation of one valuator, I know the difficulty of getting valuators who do not look at the question either from one side or the other, and I submit that the proposal requires re-consideration. We have been told by the hon. and gallant Member for East Aberdeenshire that in some cases which have occurred—and this statement was assented to by my hon. and gallant Friend opposite the Member for Kincardineshire—the Sheriff found difficulty in deciding game damages, because the valuators took such opposite views that he did not think they were speaking of the same case. It would be unsatisfactory to have valuators appointed who were in the habit of valuing solely for landlords; and, on the other hand it would be equally objectionable to have the assistance of valuators who were in the habit of valuing solely for tenants. I think it would be well to give the Judge discretion as to whom he should call in aid. The only other clause on which I will make a remark is the 8th, which appears to me to take away from the landlord the only remedy which can be in the least degree effectual to him for enforcing the contract. It is impossible to assimilate the remedies given to the lessor and the lessee, because the claim of the tenant for damages has no resemblance to the lessor's reserved right to game, and he therefore can have no corresponding means of enforcing it. And I would venture to suggest that where, in terms of this Bill, a lessor reserves his right to game, it may be, and in many cases will be, for the purpose of enjoying personally the sports of the field. Well, if he does so, I venture to think that is not a reserved interest which is estimable in money, or that the Sheriff can tell how much pecuniary damage the proprietor who lost his season's shooting through the lessee's breach of contract, suffered from having to remain in his own house, or from having to travel on the Continent. I wish to consider whether, in a Bill like this, which sanctions a contract by which a landlord is to retain the sole and exclusive right, upon certain conditions in the Bill specified, of shooting his own game on his own property, it is right and proper in the same breath to take away from him the only remedy which can possibly ensure his enjoyment of the right. In conclusion, I have to call the attention of the hon. Member (Mr. M'Lagan) to the important amendments touching the Inland Revenue Laws suggested by my Predecessor, but which have not been given effect to by this Bill. One relates to the gun licence. If the opposition intimated last year to the proposed partial repeal of the gun tax were successful, it appears to me that there would be no necessity for Clauses 9 and 10 of this Bill; for my hon. Friend must be aware that under the Act 11 and 12 *Vict.*, c. 30, it is not necessary for any person in Scotland having a right to kill hares to take out a game certificate; and, that if he exercise that right in his own person, or by means of any other person having a written authority from him, he does not incur any legal liability. These are all the observations which occur to me at present. I have thought it right to state them more at large than I otherwise should have done, to prevent misconception as to the terms on which the Government have intimated their position in regard to the second reading of this Bill.

MR. M'LAGAN, in reply, said, he could not but think that his hon. and gallant Friend the Member for South Aberdeenshire (Sir Alexander Gordon) in criticizing the Bill had been somewhat hypercritical. He denied that the present Bill would in any way interfere with liberty of contract. The Bill would not interfere with liberty of contract, because the landlord would be allowed to reserve the game or to do as he thought proper; if, however, he did not insert a clause to that effect in the lease, the common law would take its course. Of course, he should be happy to consider any Amendments in Committee.

Question put, and *agreed to.*

Bill read a second time and *committed* for *Tuesday* 6th March.

REGISTRATION OF BOROUGH VOTERS BILL—[BILL 38.]

(*Sir Charles Dilke, Mr. Rathbone, Mr. Boord.*)

SECOND READING.

Order for Second Reading read.

SIR CHARLES W. DILKE, in moving that the Bill be now read a second time, after referring in detail to former similar Bills, said, the principle of the measure was the assimilation of the Parliamentary and municipal registers as far as the preparation of the first list and the revision were concerned. In the operation of the existing law of registration of voters great injustice was frequently done to persons who were entitled to have their names entered in the register. This was not the only Bill before the House which dealt with the subject of registration. The hon. and learned Member for Cambridge (Mr. Marten) and the hon. Member for Greenwich (Mr. Boord) had both Bills of their own, and he had hoped that the three Bills would have been allowed to pass a second reading, that they would then be referred to a Select Committee, and that next year the Government might take the subject up and deal with it themselves. He had been informed, however, that the Government intended to oppose the Bill, their opposition being founded, not upon the general principle of the measure, but upon certain clauses contained in it, the Government holding that it was not a Registration Bill, but a Reform Bill, because it touched the qualification of voters. He maintained, however, that it dealt with qualification only in a very small way. He begged to move the second reading of the Bill, and trusted the House would assent to the proposal.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles W. Dilke.*)

Mr. M'Lagan

MR. GORST said, he considered it his duty to oppose the second reading of the Bill. He could not see any practical good to be derived from the annual introduction of these Bills, which did not attempt to consolidate the law of registration, but touched only isolated portions of the law. The subject was one which might be far more appropriately dealt with by the Government. The Bill, notwithstanding the hon. Baronet's disclaimer, was a Reform Bill in disguise, and as such he must regard it. When the time came, as come it would, that it might be necessary to deal with the Parliamentary and municipal registration of voters, the party to take the matter up and introduce a Bill to deal with the franchise in such a manner as might appear to require reform was the Government. The hon. Baronet, in dealing with the lodger franchise, said his object was that every lodger who paid rent should be entitled to a vote; but if that were admitted the Parliamentary and municipal franchises would be swamped with lodgers paying a very small rent.

And it being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

GENERAL CARRIERS' ACT.

Select Committee *appointed,* "to inquire into the operation of the Act 11 Geo. 4 and 1 Will 4, c. 68, commonly called 'The General Carriers' Act.'"—(*Sir Henry Jackson.*)

And, on March 5, Committee *nominated* as follows:—Sir CHARLES ADDERLEY, Mr. CAVENDISH BENTINCK, Mr. BROCKLEHURST, Mr. MAURICE BROOKS, Mr. BRUCE, Mr. CAMPBELL-BANNERMAN, Mr. FRESHFIELD, Mr. ATTORNEY GENERAL for IRELAND, Mr. GOLDNEY, Mr. STAVELEY HILL, Mr. LAING, Mr. LEEMAN, Mr. MAJENDIE, Mr. MORLEY, Mr. PEMBERTON, Mr. SALT, Sir EDWARD WATKIN, Mr. WHITWELL, and Sir HENRY JACKSON:—Power to send for persons, papers, and records; Five to be the quorum.

UNION OF BENEFICES BILL.

On Motion of Mr. ARTHUR MILLS, Bill to make better provision for the Union of Contiguous Benefices, *ordered* to be brought in by Mr. ARTHUR MILLS and Sir HARCOURT JOHNSTONE.

Bill *presented,* and read the first time. [Bill 95.]

CAPITAL PUNISHMENT ABOLITION BILL.

On Motion of Mr. PEASE, Bill to abolish the Punishment of Death, *ordered* to be brought in by Mr. PEASE, Mr. LEEMAN, and Mr. M'LAREN.

Bill *presented,* and read the first time. [Bill 96.]

VACCINATION LAW (PENALTIES) BILL.

On Motion of Mr. PEASE, Bill to amend the Law relating to Vaccination, so far as accumulating penalties are concerned, *ordered* to be brought in by Mr. PEASE, Mr. JAMES, Mr. MUNDELLA, and Mr. LEEMAN.

Bill *presented*, and read the first time. [Bill 97.]

RAILWAY PASSENGERS PROTECTION BILL.

On Motion of Mr. H. B. SHERIDAN, Bill for the better Protection of Railway Passengers, *ordered* to be brought in by Mr. H. B. SHERIDAN, Mr. ASHBURY, Mr. THOMAS CAVE, Mr. ANDERSON, and Mr. GOURLEY.

Bill *presented*, and read the first time. [Bill 98.]

HIGH COURT OF JUSTICE (COSTS) BILL.

On Motion of Sir HENRY JACKSON, Bill to amend the Law relating to the taxation of Costs in the High Court of Justice, *ordered* to be brought in by Sir HENRY JACKSON, Mr. LEEMAN, and Mr. ALFRED MARTEN.

Bill *presented*, and read the first time. [Bill 99.]

House adjourned at ten minutes before Six of the clock.

HOUSE OF LORDS,

Thursday, 22nd February, 1877.

TURKEY.

PERSONAL EXPLANATIONS.

THE EARL OF ROSEBERY: I rise to put a Question to the noble Earl at the head of the Government, of which I have given him private Notice. In the debate of Tuesday night the noble Earl said:—

> "Now, I wish to give to the House the most striking illustration of the complete ignorance that pervaded not England alone, but the whole world, the whole of Europe, and especially those countries nearest to the spot where those atrocities were committed, and whose border populations were, above all others, most deeply interested in the matter. When the three Imperial Powers met to compose the Berlin Memorandum they composed it with an aggravation of all their charges against the Porte, which was a very natural and diplomatic course to adopt, and pointed in succession to every circumstance *ad invidiam* that had occurred since the publication and failure of the Andrassy Note; and yet, although Germany, Austria, and Russia were the Powers that concocted that celebrated State paper, not a single allusion is made in it to the Bulgarian atrocities, notwithstanding all of them had been perpetrated a fortnight or three weeks before it was drawn up."

Now, my Lords, since the debate I have referred to the Blue Book, and I find that the Berlin Memorandum was communicated to the Representatives of the Six Powers on the 13th of May, and from the report of Vice Consul Dupuis and other documents it appears that at Batak on May 9—that is, four days previous—there was a wholesale massacre of about 5,000 persons; at Perushtitza on May 13, of 750; and at Boyadjikeui, on May 24, of 149. It is not, indeed, necessary to mention the various dates at which massacres were committed after the 13th of May. I think I have stated enough to convince the House and the noble Earl that there are some inconsistencies, real or apparent, between the facts as they appear in the Blue Book and the statement made by him on Tuesday night. I, therefore, beg to ask the noble Earl whether those inconsistencies are real or only apparent?

THE EARL OF BEACONSFIELD: I have received from the noble Earl opposite (Earl Granville) an intimation of his intention to make an inquiry, connected with the inquiry of the noble Earl, and I shall be able to answer both inquiries at the same time.

EARL GRANVILLE: In that case, with the noble Earl's permission, I should prefer to put my Question before he answers it. The noble Earl in the debate said—

> "But the truth is this, we have heard something in these debates about Consular agents, and the information that could be obtained by their means; but the truth is this, that these atrocities were perpetrated in parts of Turkey which are almost denuded of Consular supervision, there being no commercial demands for such agencies, and the Government of a past day—I will not inquire what were their politics, representing a commercial country—having cut off all Consular agencies in that part of the Turkish Empire."

That is the report of *The Times*, and it concurs with my recollection of the words used by the noble Earl. As the statement twice said to be the truth of the matter did not coincide with my recollection of a transaction with which I had something to do, I asked the noble Earl whether he could state the names of the places from which Consular supervision had been removed. This the noble Earl was unable to do at the moment, but with his usual courtesy promised the information; and added that he did not blame the action of the Government, which had its origin in the House of Commons. In this he was perfectly right; but my recollection does not further coincide with his. In consequence of a Resolution of a Committee of the House of Commons on the Consular Service Lord Clarendon decided to have an inquiry on the spot. This decision I carried out, and Mr. Kennedy, a most competent person, was sent specially to Turkey. He found that an alteration had been made by the Government with regard to the Vilayet system, and that large districts were placed under one Governor, and that these Governors were apt to play one Consul against another; and he therefore recommended a system by which a Consul should reside at the seat of Government with Vice Consuls under him. I concurred generally in these recommendations; and the result was, as regards Turkey, one Consulate was abolished at Janina in Albania, leaving only a Consular Agent there; the Consulate at Monastir, in Macedonia, was reduced in rank and emoluments; and at Varna the emoluments of a Vice Consulate were diminished. In the four remaining cases of changes in Consular establishments in European Turkey, the emoluments were, in different degrees, in each case increased. I am not aware of any action at all in respect of any Consular establishment in that part of European Turkey where the atrocities were committed. I may mention that the Foreign Office was pressed from outside to abolish the Consulship at Adrianople—to which I could not consent, conceiving it would not be for the public advantage. The Estimates carrying out these changes were prepared by the late Government, but they were examined, adopted, and presented to Parliament by the noble Earl's Administration. I therefore take the liberty of asking the noble Earl again which were the places in that portion of Turkey in which the atrocities were committed from which Consular supervision had been taken away?

THE EARL OF BEACONSFIELD: With reference to the Questions that have been addressed to me by the two noble Earls, noble Lords will remember—if they can remember the observations I addressed to the House on that occasion—that the observations I made on the points respecting which these Questions have been addressed to me were casual remarks, that there was nothing in the Motion of the noble Duke, nothing in the speech which he then delivered, and nothing which occurred in the course of the debate itself, which could have led me to believe that the lamentable incidents which have occurred in Bulgaria or any information which had been received by the Government in reference to those incidents would be made the subject of question in that debate. What happened was this. Before the Leader of the Opposition spoke, a noble Earl, who approved the action of Her Majesty's Government generally in the transactions the subject of the discussion, severely impugned the conduct of the Government in regard to the Bulgarian atrocities, and stated that the agitation which had been excited in the autumn when those atrocities became known had been caused by the Government not having imparted to Parliament and the public the information they had received. My Lords, you must feel that was a very grave accusation to make, and it was impossible for me—although directing my argument to the subject which had been brought under our consideration with great ability by the noble Duke—not to advert to those observations of the noble Earl. Had I been in the least aware that the incidents in Bulgaria and the conduct of the Government in reference to the atrocities would be called in question, I should, of course, have refreshed my memory before entering on the debate by a reference to the Papers on those points; I should have made no statements respecting the Consular Service, or anything else, without having the documents at hand to bear me out. But that was not the position of affairs. The matter was introduced most unexpectedly and suddenly. It was one which I could not have anticipated to find brought forward, and I could speak only from my general knowledge of affairs. I think the principle on which a Minister should answer Questions addressed to him in Parliament is a clear one. He is bound to give Parliament the fullest information in his possession, provided that it is not confidential information or that its communication would not be detrimental to the interests of the State. But authentic information must be information received from responsible sources. It would not do for the Government to come down to Parliament and give information merely because it had been received in society, however plausible it might seem, or however authoritative the private communication. I made no answer on these occasions until after consultation with my noble Friend the Secretary for Foreign Affairs, and we then imparted to this House and to the House of Commons the information—I am perfectly aware—the slight and vague information on the subject of these atrocities as they were at first reported to us. I am well aware how slight was that information, but we gave all we could; and on subsequent occasions when we had fuller information we gave it also; and therefore I trust we may not be considered guilty of the charge made against us that the agitation in the country was occasioned by our refusing to disclose information. Now, there is not the slightest doubt that Her Majesty's Government was ill-served on that occasion—they did not receive the information they ought to have received. I beg that in saying this I may not be understood as casting any imputation on the honourable and eminent gentleman who was then and is still our Ambassador to the Court of the Sultan. It must be remembered that Sir Henry Elliot was placed at that moment in very difficult circumstances. This is a consideration which is too frequently forgotten. Constantinople was in a most critical state. Revolutions were impending which afterwards occurred, and incidents were threatening which might have been more serious than those revolutions. The mind of Sir Henry Elliot must have been on the strain during the whole of that time, and I have not the slightest doubt that any one placed in the same position would have acted in the same way. Sir Henry Elliot has a thorough knowledge of Constantinople and the Turks of that city—few men have greater—he was deficient in information as to the Provinces in which these atrocities occurred. That I attributed, and do attribute, to the Consular Service not having been adequate to the occasion, and that it had been improvidently reduced. The noble Earl mistakes me if he supposes that I made any charge against his Government in respect of that reduction. Quite the reverse. I did not at the moment clearly remember under what Government it was the Consular Service in Turkey had been reduced. Called on unexpectedly to address myself to the point, I rather thought that the reduction had been made by the Government of which I was a Member. But that matters little—whether it was by a Conservative Government or a Liberal Government—because the reduction had been made on the recommendation of a Committee of the House of Commons, and no Minister would treat the recommendation of a Committee of the House of Commons on public expenditure but with the highest respect. Therefore, there was no desire on my part to attribute to the noble Earl or the Government of which he was a Member the ill consequences, as I believe, of the reduction in the Consular Service. The noble Earl (Earl Granville) says I stated that the Consular Service had been reduced in that particular part of Turkey where those atrocities were perpetrated. I am not aware that I did so, but I do not dispute it. I never question the accuracy of a report—though I never saw one that was accurate—because I know well that if we were to be entering into controversies as to the accuracy of reports it would be impossible ever to come to a conclusion on any human affair. Therefore I do not dispute it, though I do not remember it. Now, my Lords, I do not know any instance in which the Consular Service was reduced in the immediate scene of the atrocities; but there has been a great reduction of the Consular Service in Turkey. The first Committee on the Consular Service sat in 1858, and it made many recommendations which were carried into effect. Your Lordships will find that in consequence of those recommendations six Consuls or Consular Agents were abolished in Turkey. In 1874 the Consulate at Janina, an important place, was abolished, and there was a reduction in the important post referred to by the noble Earl at Monastir, in Macedonia. There have also been reductions of Consuls to Vice Consuls. I do not wish at all to intimate that because a man is a Vice Consul only he may not be a very experienced servant of the Crown. I know there are many cases in which they have displayed much ability; but in most cases reductions such as those must impair the efficiency of the particular service.

EARL GRANVILLE: Will the noble Earl state the instances in which the Consulates have been reduced to Vice Consulates?

THE EARL OF BEACONSFIELD: I have no Papers here, but I shall have no difficulty in giving the names to the noble Earl. But what I allude to is not a solitary instance. It was the remembrance of those circumstances, and speaking, as I must impress upon your Lordships, casually and to a point which I had not expected to have been raised in the debate, which induced me to make the observations I did on Tuesday night. Those localities to which the noble Earl has adverted have been and may again become scenes of great interest. They may become scenes of war, or they may become scenes of peace; but in either event they must attract constant attention. I trust they will be scenes of peace; for I do not yet despair of the common-sense of the Porte, and I have much confidence in the wise unanimity of the Great Powers; but whether they be the scenes of peace or the scenes of war, no doubt they will attract and even absorb the attention of the nation, and therefore I am sure your Lordships will hear with satisfaction that the whole subject of the Consular Agents in this part of the world has been for some time under the consideration of Her Majesty's Government, who intend to make a proposal to Parliament which, whether by changes or modifications, will we hope lead to considerable improvement in that service, and do away with those causes which, in our opinion, now impair its efficiency. I will now say a word in reply to the Question addressed to me by the noble Earl (the Earl of Rosebery) on the subject of Bulgarian atrocities. I spoke from memory; but, speaking from memory, I cannot see any substantial difference between what I stated and the facts. The facts stated by the noble Earl do not seem to be so exact as he described them to be. What happened with regard to the Berlin Memorandum? The Berlin Memorandum was communicated on the 13th of May. The first Bulgarian outrage occurred on the 1st of May; and every day was more or less signalized by excesses. If, then, the 1st of May saw the commencement of those outrages, I was not particularly unfounded in my expression when I said that those incidents occurred a fortnight before the delivery of the Berlin Note. The noble Earl referred to the case of Batak. These excesses were not known to Parliament when its attention was first called to the subject. The horrible scene that took place at Batak was not the cause of the indignation which was expressed so unmistakeably in Parliament, and especially in the House of Commons. The outrages and massacres which occasioned that great ebullition of feeling in the House of Commons were those that took place in the early part of May, and Batak, which exceeds them all in horrors and infamy, was absolutely discovered by Mr. Baring on his mission. It had not been reported by the American Missionaries or by Mr. Schuyler himself, who took such an active part in sending information to this country. Though it was undoubtedly one of the most terrible of all the scenes that occurred in Bulgaria, it was not discovered till Mr. Baring's subsequent investigations into those atrocities. When you find that the three Imperial Courts, two of which were intimately connected with that part of the world and had extensive commercial relations with it—when you find that, sitting in council on the 13th, they were not aware of massacres commenced on the 1st of May, it is a proof that however ill-informed the English Government was it was no worse off than the others. It had not the advantage of the two Imperial Courts either from its commercial relations or the presence among its subjects of those who took a very active part in these transactions: is it surprising then that the English Government should have been so ill-informed, when neither the Prussian nor Austrian Governments appeared to be cognizant of these transactions? I have endeavoured to place before you—I trust with the utmost candour—what my views are upon the subject. The spirit of my observations, as I think entirely indicated, was that there has been a large and unwise reduction of the Consular Service in Turkey, and that, though the British Government was imperfectly informed of what occurred in Bulgaria, those who had the greater advantages of position and circumstances were not better instructed.

THE EARL OF ROSEBERY observed that the noble Earl seemed to some extent to have misapprehended his Question. He had asked for an explanation of an apparent inconsistency in the noble Earl's statement that no allusion was made to these atrocities in the Berlin Memorandum, although all of them had been perpetrated a fortnight or three weeks before it was drawn up. The noble Earl's answer only showed that one of them had been committed 12 days before the presentation of that document.

THE EARL OF DERBY: My Lords, perhaps as reference has been made to the debate which took place in this House two days ago, I may be allowed—though the noble Duke who opened that discussion (the Duke of Argyll) is not now in his place—to take this opportunity of answering a Question which he then put to me, and to which I was not then able to give him a reply. Your Lordships will remember that I promised to answer him as soon as I had an opportunity of ascertaining accurately what had passed. The noble Duke expressed a curiosity, which, under the circumstances, was not unnatural, to know what was the nature of the communication referred to but not included in the Blue Book, which had been made by me towards the end of December to the Turkish Government, and which had led to a very warm expression of gratitude on the part of that Government. The noble Duke appeared to think that it must have had some reference to the proceedings of the Conference—and, I am bound to say, that was not an unreasonable suggestion. I have been able to refresh my memory upon the subject. I have also communicated with the Turkish Ambassador here, and I find that my recollection of what occurred at the time was quite accurate—namely, that this communication to which so much reference has been made, was one of no political significance whatever. It was simply a verbal expression of congratulation addressed to the Turkish Ambassador here, upon the receipt through him of official information of the accession to office of Midhat Pasha, the new Grand Vizier. It was a complimentary expression of congratulation, such as your Lordships know is not unusual on such an occasion; and on this particular occasion there was a peculiar fitness in it, for whatever has been the result, there was, no doubt, a very general belief that Midhat Pasha was a man who, on his accession to power, would carry out the reforms which had been promised. The communication was verbal, and there was no reference in it to any proceedings at the Conference, or to any political business whatever. It was simply a message of courtesy and compliment, and the expression of a hope that the new Grand Vizier would carry into effect that policy which we all desired to see. So much was it the case that no political significance was attached by me to that communication that I did not keep any record of it; and if I do not produce the document which the noble Duke asks for, it is for the most conclusive of reasons, that no such document is in existence.

EARL GRANVILLE: In the absence of the noble Duke, I may be permitted to thank the noble Earl for his courtesy in answering the Question, and to say that, in my opinion, his answer would have been satisfactory to the noble Duke had he been present. At the same time, I think it was a very natural thing for him to put the Question, seeing that the telegram had been referred to in another conversation given in the Blue Book.

THE COLORADO OR POTATO BEETLE.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY asked the Secretary of State for the Colonies, if he can give any information respecting the progress of the Colorado or potato beetle? The noble Lord said, that as it had been reported in August last that the Colorado beetle had reached Canada, he thought it possible that his noble Friend the Secretary of State for the Colonies might be in possession of some information on the subject, and that whatever information he might give would be very acceptable to the farmers of Ireland and the North of England. It would be a satisfaction to them to know that the Government were watching the progress of this pest. He believed that the Government had already taken measures to check the entrance of these beetles at our ports, and perhaps his noble Friend would be able to confirm the paragraphs to that effect which had appeared in the Press. He hoped the

Government would consider whether it might not be the safer course to prohibit the importation of all American potatoes except those which, being intended for seed, were carefully packed and sent clean and free from the beetles or their eggs.

THE EARL OF CARNARVON said, there was no doubt, as the noble Lord had said, that the question was one of considerable importance, as the ravages of the insect had been very great in the western part of America, and had created a great deal of apprehension in Canada. There was no doubt that if it were to reach this country and become acclimatized here the mischief might be very considerable. All that was possible he believed had been done. He had communicated with the Board of Trade and the Canadian Government as to the necessity of supervision over those ports from which potatoes were exported. The Board of Customs had issued two Orders on the subject—one in 1875 and one last year—in which a close examination of every ship arriving in the months of August and September laden with potatoes was enjoined. The great danger was that the insect might also be imported from Germany, for it had been found that a similar insect had been discovered in Germany, which was shown, on investigation, to be the same insect which had proved so destructive in America and Canada. All American and Canadian ships were carefully watched on coming into port, and if it should be found necessary German ships would also be watched. The Government were fully alive to the importance of the subject.

OUTBREAK OF CATTLE PLAGUE.

QUESTION. OBSERVATIONS.

EARL FORTESCUE, in calling attention to the outbreak of Cattle Plague in Essex and Yorkshire, and asking the Lord President what steps have been taken to prevent the spread of the disease, said, that the importation of live cattle was a trade which had sprung up in our own time and was one of the results of the adoption of the principle of free trade. Up to the passing of Sir Robert Peel's free-trade measures this country was free from the formidable cattle diseases which were known in other countries—one of which was known as the rinderpest. That disease in former years was not known in England, but was confined to the eastern parts of Europe. But the great facilities for conveyance by railway had brought the disease nearer and nearer, until finally it was introduced into this country. Now, the whole supply of live cattle and sheep to this country was very small in comparison with the immense numbers of the herds and flocks which were reared and kept in it. The last Return —that for 1875—showed that the live cattle in the United Kingdom were about 6,000,000, sheep 30,000,000, and pigs 2,000,000; while only 169,000 oxen and bulls, 58,000 cows, 34,000 sheep, 44,000 calves, and 43,000 pigs, in round numbers, were imported in 1876; so that the whole of those imported were as to cattle about one 24th part of those in this country, as to sheep about one 30th, and as to pigs about one 50th. He believed that the importation of live cattle and pigs, and certainly sheep, was, so far as they were for the purpose of slaughtering in this country, retrograding rather than increasing, for he found that the Returns for last year showed several thousands fewer than in 1875; while, on the other hand, the importation of meat was constantly and largely increasing. His own opinion was that the requests of the joint deputation of members of the Farmers' Club and of the Central Chamber of Agriculture to the Privy Council for greater protection, for foreign animals to be allowed to be landed at specified ports and not removed alive but slaughtered at the places of debarkation, ought to have been granted. Such were the main requirements which were laid before the Lord President by those bodies in June last, and to which the noble Duke returned an elaborate answer. The result proved that what was done inadequately met the necessities of the case. The recent discussions at the Central Chamber of Agriculture and Farmers Club showed that the reply of the noble Duke was considered by the farmers of England most unsatisfactory. But further, after reference to the present importation of meat from America, the Resolution passed at that meeting was that, in view of the altered circumstances of the times, it was very desirable that the slaughtering should take place at the ports of embarkation, and that only those animals should be excepted which were intended for store stock, and entered as such, and that these should be subjected to strict quarantine at the port of debarkation. His own belief was that without the slaughtering on the other side of the Channel of all animals intended for immediate conversion into meat, the very valuable flocks and herds in this country would be very inadequately protected against disease. He had been an earnest free-trader long before any of the present and many of the late Government became converted to free trade; but, he contended, that while fully supporting the principles of free trade, and admitting that it might be requisite to allow a certain quantity of store stock to be imported into this country, it was desirable from many points of view that no fat animals should come over for immediate slaughter here, but that they should be killed abroad and come here as meat. In connection with this subject there was another question which he was very earnest their Lordships should consider—and that was the cruelty inflicted upon the animals under the present system. Last year he supported the Bill to restrict the practice of vivisection; but the evils prevented by the Act were small as compared with the sufferings of animals which were imported from the Continent. If any of their Lordships had had the misfortune, as he himself had, to witness a debarkation of stock, and especially of fat stock, they would beyond question have been satified that the interests of humanity would be immensely promoted by the abolition of a process which inevitably entailed a dreadful amount of suffering on the poor animals. As many of their Lordships must be aware, when there was stormy weather at sea the hatches of the ships in which stock was being conveyed here had to be closed; and at the end of the voyage a number of animals were frequently found to have been suffocated. Where suffocation had not taken place, the animals were found to have suffered severely; and he could not believe that in the state in which they must necessarily be after a stormy passage they could be very desirable food for consumption in England. Now, when they found that dead meat could be imported so successfully from across the Atlantic, he considered that there could be no difficulty in bringing such meat over from Hamburgh, Holland, or France. For his own part, he should rather eat meat so shipped than the meat of animals whose physical condition had been impaired by being tossed about in the hold of a vessel at sea. Therefore, for the protection of their own herds and flocks, and on the ground that meat from bruised and fevered animals could not be in a good state to eat, it was highly desirable, he argued, that all animals, except those for store stock, should be prohibited from coming alive into this country. He had been told that in one English county alone the loss of property, in the shape of cattle, which had taken place in consequence of cattle disease had amounted to at least £2,000,000 sterling. If that were the case, it would surely be sound political economy, as a simple matter of insurance, to take the precautions which he had indicated. There was another consideration to be taken into account—namely, that in consequence of the existence of this disease the markets of Australia and other countries would be closed against the importations of stock from this country, and so our very profitable export trade of animals, few in number but very high in price, would be seriously interfered with. There had been an outbreak of the disease in the Metropolitan district and another at Hull, and he hoped that the noble Duke would listen to the appeal made by the Central Chamber of Agriculture. He would like to add to his Question on the Paper this—Whether any further steps were intended to be taken by the Government with a view not only of meeting the present outbreak of cattle plague, but of preventing, so far as precautions could be carried out, the importation of it into this country hereafter?

THE DUKE OF RICHMOND AND GORDON: I am not at all surprised at the anxiety manifested by the noble Earl (Earl Fortescue) to get information upon the subject-matter of the Question he has addressed to me. It is of such immense importance, and the consequences of this disastrous disease on a former occasion were so dreadful both to the producers and consumers of meat in this country, that it is astonishing to me that similar Questions should not have been put to me earlier in the Session. But while I have no doubt that not one only but that many of your Lordships desire to hear some statement on behalf of the Government in reference to it, the introduction of it comes very appropriately from the noble Earl, who holds the honourable position of President of the Central Chamber of Agriculture, which includes among its members some of the most eminent agriculturalists in the Kingdom. Reading only the Question on the Paper, I was not prepared to hear the arguments and the speech of the noble Earl on this occasion as to the prevention of the cattle plague and the origin of its introduction into this country. I think that the noble Earl is not quite correct in one of his statements—that it is only since the year 1846 that animals have been allowed to be imported free into this country, and he will pardon me for correcting him on this point. From 1833 to 1842 there was strict prohibition; from 1842 to 1846 they were admitted on payment of a small duty; and from 1846 to this time they have been admitted free from duty, but, as everyone knows, under certain regulations. I hope the noble Earl will also pardon me if I venture to differ from his statement that it is only since 1844 that the disease known as the rinderpest first appeared in this country. I believe that many years ago there was a complaint which affected the live stock of this country, which if not absolutely the same as the rinderpest was very like it. The noble Earl has referred to an important document which I have received from the Central Chamber of Agriculture. One suggestion made in that document is that all animals shall be slaughtered at the port of debarkation; but the noble Earl proceeded to indicate his opinion that that will not be sufficient—in fact, he would practically prevent the importation of all stock into this country.

Earl FORTESCUE: No, not all; fat stock.

The DUKE OF RICHMOND AND GORDON: So far as I have been able to ascertain up to the present time the great difficulty in this matter has been to distinguish between fat stock and store stock; and to say that we should prevent the introduction of fat stock—that we should only allow animals to come in as store stock—is to declare that a thing should be done which it would be almost impossible, if not quite impossible, to do. The noble Earl is a Freetrader; but if such a proposal as that were carried out, it would really be going back to the days of protection—days, however, which I am not here at the present moment to discuss. It is proposed that all animals shall be slaughtered at the port of embarkation; and the noble Earl tells us that slaughter at the place of debarkation will not satisfy him; and then he states that the importation of American meat has solved the difficulty, and that we ought to take measures to insure that all meat, of whatever character, intended for food in this country should be imported in a similar manner. I am far from saying that that would not be advantageous; but up to this time there has not been sufficient experience in respect to the trade between this country and America as to the manner in which the supplies will be brought forward to enable us to say that the experiment has been completely successful. The noble Earl in the course of his remarks alluded to the importation of meat from France. Now there is nothing to prevent France from doing that, and France is a great country for the rearing of stock, and could provide this country with a quantity of dead meat; and certainly as the sea passage need not exceed two hours there is nothing to prevent France from following in the course adopted in America. What I desire now to do is to give a short history of the recent outbreak of cattle plague. The noble Earl says that if all traffic in live animals had been prevented the plague would not have been introduced into England. But there is this remarkable circumstance on record which contradicts that statement. The noble Earl is aware that all animals from this country were excluded from Ireland at the time of the cattle plague. Nevertheless, it did break out in that country. Every endeavour was made to find out how it got into Ireland, but unsuccessfully. The first outbreak this year was on the 15th of January. There was a paragraph in *The Times* stating that the cattle plague had broken out in Germany; and without waiting for any official confirmation of that report I telegraphed to the inspectors at the various ports to be especially careful in regard to the stock which came under their inspection from abroad. The same evening a cargo of cattle arrived by the ship *Castor* at Deptford from Hamburg, and unfortunately the plague was discovered amongst that cargo. One animal had died on the voyage, and when the ship was inspected other animals were found to be affected by the disease. On the following day I directed all the rules laid down by the Privy Council to be applied and put into operation at once; and the whole of the animals were slaughtered and their carcases destroyed, and all the men who took part in the work had their clothes disinfected before leaving the premises in which it took place. I want the House and the country to know exactly what steps were taken to prevent this disastrous disease spreading over the country. On the same day an Order in Council was passed which scheduled sheep and goats coming from Germany, and they had to be slaughtered at the port of debarkation. I issued a Circular to all the local authorities, informing them that the cattle plague had broken out at Hamburg, that an infected cargo had been landed at the port of London, and directing them to examine stock and to make inquiries, and that all doubtful cases should be dealt with without delay. Having caused all the animals brought by the *Castor* to be slaughtered, I took upon myself—somewhat exceeding, perhaps, my powers under the Act—to request the authorities to detain that vessel until it was thoroughly disinfected. I instructed the Inspector at Deptford to see that the disinfection had taken place; and I induced the owners of the vessel to consent that for the space of one month they would not carry cattle on board. Then information reached us that sheep and goats might come to this country from Germany through Belgium and France, and that caused me to take another step—namely, to issue an Order in Council scheduling sheep and goats from those countries. Further information having reached my Department that the cattle disease was spreading in Germany, an Order in Council was issued on the 27th January altogether prohibiting the landing of cattle, hides, or meat from Germany, France, and Belgium. These precautions were taken in consequence of the prevalence of cattle plague in foreign countries. Up to that time it was done only by way of caution, because we had no intimation that any cattle plague had appeared in this country except at Deptford. On the 30th January a suspicious case occurred in a cowshed at Limehouse, and our Inspector reported to us that it was cattle plague. All the animals in the same shed were slaughtered and their carcases destroyed the same night. A communication was made to the Metropolitan Board of Works, from whom we have received every possible assistance. A cordon was drawn round London on the 31st January, and no animals are allowed to go outside the metropolitan district. That was necessary because of a market which was to be held next day, in order to prevent the possibility of affected animals being taken to any part of the country. On the 1st February I communicated with the Commissioners of Police and the railway authorities and informed them of the Order in Council, so that they should take the greatest precautions to prevent the disease spreading. Then on the 2nd February another Order in Council was passed to prevent any fairs and markets within the district being held except by special licence. On the 3rd February there was an outbreak at Poplar and another at Bow, and then I sent Inspectors to visit all the dairies at Bow, and I sent another Circular to all the local authorities throughout the country stating that the cattle plague was spreading in the Metropolis, and directing them to examine all the stock in their districts, so that in case of any outbreak they might act promptly. There were further outbreaks at Poplar, Millwall, and Blackwall. On the 8th February we heard that a disease had appeared at a place near the frontier of the Netherlands, and though we know that the Government of that country do their utmost to protect their frontier, still we thought it our duty to issue an Order in Council placing the Netherlands in the list of scheduled countries, and prohibiting the importation of cattle, sheep, or goats from that country except for the purpose of immediate slaughter. The disease spread to Hackney Wick, and then we heard of it on the 9th of February at Stratford, outside the metropolitan district. It spread in a very small way, but still it did spread. I then thought it right to issue an Order in Council giving local authorities power to regulate the holding of fairs and markets and the movement of cattle in their districts. We thought it better that they should have that power and act for themselves, as they would best know the requirements of the localities, and time would be saved by enabling them to act with promptitude in each case instead of having to communicate with the Privy Council Office in London. To prevent the disease spreading in Essex the local authorities availed themselves of the power so conferred, and in four petty sessional divisions prohibited the movement of all cattle except by special licence. Since the outbreak at Limehouse all the cowsheds had been examined, and I hope the disease has been confined to a certain area. I believe the Orders in Council which have been issued have been sufficient to enable the local authorities to act with promptitude, and I am in hopes that as regards the Metropolis the disease has been or will be stamped out. Unfortunately, however, on the 17th February a case broke out at Hull. We despatched an Inspector to that place, and pointed out that cattle should not be allowed to go into the country, and the local authorities have adopted the advice of our Inspector; but the disease did not stop with one case, as on the 20th or 21st of February other cases were reported from the same locality. Great alarm arose there, and no wonder, as that was the county in which the disease was so disastrous on a former occasion. I took upon myself, therefore, to advise that an Order in Council should be passed at once stopping all the fairs and markets and all movements of cattle in the East Riding of Yorkshire. I took upon myself that responsibility without waiting for the local authorities to do so, not from any distrust of those authorities, but because a large fair was to be held next day in York, and consequently, unless we acted it could not be stopped, as the local authorities would not have had time to do so. This then, my Lords, is what has taken place in the Metropolis and at Hull. Every precaution which could be taken has been taken to prevent the spread of the disease. We have been assisted by one of the most eminent veterinary surgeons in this country, Professor Brown; and we have also been greatly assisted by the Inspectors of the Privy Council—Messrs. Cope, Courtenay, Ricketts, and Captain Tennant—one and all have given their best energies in carrying out our Orders, and in giving information to the various local authorities throughout the country. Therefore, in summing up this matter, I will point out the present state of affairs. It is this. From Belgium, Germany, and Russia the importation of cattle is prohibited, and sheep and goats from thence must be slaughtered at the port of debarkation. From the Netherlands and France all animals must be slaughtered at the port of embarkation. Therefore the only countries, from the extreme North to the South of Europe, from which cattle can be admitted at this moment—then to be detained for the space of 12 hours to be inspected, and, if free from disease, to be admitted into the country districts—are Norway, Sweden, Denmark, Spain, and Portugal:—and it is a remarkable fact that in none of those countries has cattle plague been ever known to exist. Therefore no arrivals can come to this country at present from countries in which cattle plague is known to exist. I hope your Lordships think that every possible precaution has been taken, and promptly taken, in dealing with this most disastrous plague, and that the Department over which I have the honour to preside does not go to sleep, but is always ready to take the most prompt and most effective measures in these emergencies.

The EARL OF KIMBERLEY said, in reference to the disease being in Ireland on a former occasion, when he was Lord Lieutenant, that though it was not possible to trace the manner of its introduction, and though it was not introduced there by the importation of any cattle, yet the supposition was that it was taken across by drovers who passed from one country to the other; and who, having been to the markets in England, carried the disease back with them. It was well known that there was a large exportation of cattle from Ireland to this country. He had heard with much satisfaction the statement of the noble Duke of the active measures taken to prevent the spread of the cattle plague in this country, and he hoped that they would be as successful as the measures adopted in Ireland some years ago, for though the plague broke out in three different places it was prevented from progressing beyond them.

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 22nd February, 1877.

MINUTES.]—NEW MEMBER SWORN—John Dyson Hutchinson, esquire, *for* Halifax; Edward Robert King Harman, esquire, *for* Sligo County; Honble. Sidney Herbert, *for* Wilton.

SELECT COMMITTEE—Lunacy Laws, *nominated.*

PUBLIC BILLS — *Ordered* — *First Reading*— County Boards (Ireland) * [100].

Committee—Prisons [1]—R.P.; Prisons (Ireland) [3]—R.P.

Committee—*Report*—Justices Clerks * [5].

METROPOLITAN STREET IMPROVEMENTS BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

SIR JAMES HOGG: In rising to move the second reading of this Bill, I do not think it necessary that I should take up the time of the House by endeavouring to prove the necessity for improvements in this increasing City, nor do I think it necessary to dilate upon the benefits which I believe the citizens of London have derived, whether resident here for purposes of pleasure or business, from the improvements which have been made by the Metropolitan Board of Works. Perhaps I may be allowed to remind the House that in the year 1872 powers were given by this House to the Metropolitan Board of Works to carry out various important street improvements. Amongst them there was one authorizing them to make a communication, partly by means of new streets and partly by the adapting of old ones, from Bethnal Green down as far as Holborn. One of the objects of the Bill which I now ask this House to read a second time is to make a street 60 feet in width to meet the street which I have just mentioned, and which I hope will be completed before the end of this year. If this additional street is constructed as we propose there will be a communication 60 feet wide directly down to Regent Street. Another object of the Bill is to authorize the Metropolitan Board of Works to make a street 60 feet wide from Tottenham Court Road as far as Trafalgar Square. And this brings me to my point of difference with my hon. Friend the Member for Stoke. [Mr. BERESFORD HOPE: Cambridge.] I beg my hon. Friend's pardon. I mean my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope). The opinion of my hon. Friend is always well received, both inside this House and out of it, on all matters of taste. He objects to one of the proposals of the Bill, and only one; but I believe I shall be able before I sit down amply to satisfy my hon. Friend upon the point in regard to which he is so very anxious. But while I express my readiness to do everything I can to meet his views and the views of the House, I must say this—that if the street which I had hoped to get permission of the House ultimately to make —if that street is not of the width of 60 feet from Tottenham Court Road to Trafalgar Square, the responsibility will not rest with the Metropolitan Board, but with those who object to any interference whatever with the steps of St. Martin's Church. I need not assure my hon. Friend the Member for Cambridge University, nor need I assure the House, that in carrying into effect any improvements there is no desire on the part of the Metropolitan Board of Works in any way to injure, or touch, or displace, or disfigure any of the architectural beauties of London, because, I am sorry to say, there are not too many of them extant. Still more, I may say that instead of wishing in any way to deface, we are anxious to improve, and when we make an improved communication, we are anxious that the improved streets and communications should be lined by handsome buildings. I think I may point to Queen Victoria Street as an example. The buildings which have been erected in it are really a credit to the metropolis. Then, again, we hope, in the course of a few years, that Northumberland Avenue will be filled with buildings of a high architectural character. Perhaps, with regard to the steps of St. Martin's Church, I may, with the permission of the House, be allowed to mention a few circumstances. When this scheme was first proposed, the rector and the churchwardens and some of the inhabitants addressed the Metropolitan Board of Works upon the subject. We endeavoured, as far as we possibly could, to meet them in a friendly and conciliatory spirit. We heard all they had to say;

we received from them certain plans, which were proposed modifications upon our plans—the modifications being proposed by Mr. Ferguson. We went into them, and we thought we had improved them; and we introduced and brought in other modifications, which we hoped would meet the views of all parties interested in the matter. I am sorry to say that the Metropolitan Board have in that entirely failed; that not only the churchwardens, but I am sorry to say my hon. Friend the Member for the University of Cambridge, and I am also bound to add most of the Members who have spoken to me in the House of Commons, have expressed their disapproval of our plans. Now, Sir, I think it is much the best course, in all circumstances like these, to be entirely honest and frank. And that being the case, and not wishing in any way to destroy or do anything to injure the architectural beauties of the metropolis—although I do not think the plans we were going to propose to the House of Commons, and which we hoped would be allowed by the House to go before a Committee, would have had that effect—still, as we found that many hon. Members objected to them, I think the best plan for me to follow is at once to give up a portion of our plans. We ask the House now to say that the street shall be 60 feet in width from Tottenham Court Road down to St. Martin's Church, and I am prepared to give my hon. Friend the Member for Cambridge University a distinct assurance that in the future progress of the Bill nothing shall be done in any way to interfere with or touch the steps of St. Martin's Church. I hope that that frank acknowledgment and promise from me will induce my hon. Friend to withdraw the opposition of which he has given Notice to this Bill. I am satisfied that if the Bill is passed, and the improvements proposed in it are carried out, it will be of very great advantage to the metropolis. As I am speaking on the subject of the Bill, I should like to mention one or two other improvements which we contemplate, and which are very much wanted. Those who live in the East of London, and on the other side of the River, well know how very much improvements are wanted in Bermondsey and in Tooley Street. We propose to widen both of those thoroughfares, and to form a street which we believe will tend very much to divert the traffic from London Bridge, now so considerably congested with it. There is one other scheme about which I believe an hon. Member proposes to ask me a Question. It relates to Gray's Inn Lane, which we propose to widen to the width of 60 feet, and in order to enable us to do that we have scheduled a considerable amount of property. I may add that a great deal of the property so scheduled is at the present moment reported as quite unfit for human habitation. I hope that this Bill will clear away a large portion of that very bad property. There is just one more point to which I should like to allude for a moment. I hope the House will agree with me that it is a desirable improvement when I tell them that the improvement in question is one for widening Abingdon Street, and making the approaches to this House more worthy of the metropolis. We also contemplate, if the House gives us permission, the extension of the New Embankment recently made beyond the House of Lords to Millbank. There will then be a continuous embankment from Battersea Bridge to Blackfriars Bridge. These objects are some of those we are striving to obtain by this Bill. Having frankly given up the only point of difference in regard to this Bill, notwithstanding that we thought our proposal would tend to the convenience of the whole of the metropolis, I trust that the Bill will now be allowed to go to a second reading and be reformed, as is usually the case.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James Hogg.*)

MR. BERESFORD HOPE: I can assure the House, and particularly my hon. and gallant Friend, that I have listened to the manly, and frank, and satisfactory statement which he has just made with particular pleasure. We all know that his word is his bond. We know that anything he promises himself will, as far as he is concerned, be thoroughly carried out; but he, of course, can only speak for himself, as far as he has power with those with whom he acts, and so long as his tenure of office remains. I am sure that from the very first time his attention was called to the matter from another point of view, wholly different from that to which it was first attracted, he would be ready to do all that he could to meet the wishes of the rest of the House and of the public generally. However, I waited to see whether that which his official position enables him to propose would be that which I could honestly say would be permanently sufficient to meet our wishes. Personally, I should be glad of any clause which will prevent the Metropolitan Board of Works from carrying out their first intention. There were, however, rumours in the air of clauses leaving a contingent power of assent in no doubt very respectable hands. But no contingent right of destruction, however fenced, would have been sufficient. We want an absolute exclusion of this portico of St. Martin's Church. That absolute exclusion is now promised, and it is what I asked for. Before, however, the question drifts away, I should like to recall the recollection of the House to a little incident of past history. I am old enough to remember when Trafalgar Square was first made, and I have a very distinct recollection that the plan of Trafalgar Square was vitally altered before it was carried out. In those days people believed more in rectangles than they do at present. The picturesque had not grown up so much in architecture as it now has. Trafalgar Square was at first intended to be a rectangle, but in course of time Trafalgar Square was laid out, not as a rectangle, but as an open space, without one single right angle in it. And why was that? It was because a general and a just cry had arisen that this beautiful portico of St. Martin's was an object which ought to be brought into full view of all England in that part of London, where, as Dr. Johnson said—"The full tide of human existence passes Charing Cross." Actually the whole plan of Trafalgar Square was altered in order that this portico, steps and all, should be brought into full view; and how inconsistent it would be to have swept them away now. Still more inconsistent would it have been had the barge carrying away these steps met another barge from an opposite direction bringing Cleopatra's Needle to decorate that Thames Embankment which is the honour of my hon. and gallant Friend and of his Board. Our national monuments are not so many that we can afford to sacrifice any of them, and I hope that under the guidance of my hon. Friend the Member for Maidstone (Sir John Lubbock) we shall be able to preserve a few pre-historic monuments. There are, however, other monuments, perhaps not so ancient, and artistic treasures of stones delicately carved, which are equally worthy of the attention of a great people. This is, I trust, the first and the last time that London and England will have to fear the hands of Vandalism being laid upon St. Martin's Portico, and I shall with much pleasure withdraw the Amendment of which I have given Notice.

MR. RAIKES: I am anxious to say a few words before the Bill is read a second time. We have heard the arrangement which has been come to between my two hon. Friends, and I am not aware that any other hon. Member of the House is anxious to disturb their concord. I only wish to say that while I congratulate them upon having concurred on the subject of the Bill of my hon. and gallant Friend the Member for Truro, if my hon. and gallant Friend had gone to a division upon the second reading of the Bill against the Amendment proposed by my hon. Friend the Member for the University of Cambridge I should have supported him; because I think the point raised by my hon. Friend the Member for the University was rather one which ought to be left to the consideration of a Committee. It forms only a very small part of a very large Bill, and I should certainly have deprecated any proposal for taking issue upon the whole question upon such an Amendment. I am glad, however, that the question has been satisfactorily settled between the contending parties, and I am sure my hon. Friend the Member for the University of Cambridge has every reason to congratulate himself upon his successful opposition.

LORD ELCHO: My hon. Friend the Chairman of Committees has said that if there had been a division he would have supported the second reading of the Bill against the Amendment of my hon. Friend the Member for the University because he considers that the question of St. Martin's Church is only a small portion of a very important Bill. But it appears to me that whether or not St. Martin's Church is to be destroyed as a national monument is a very important question, more important far than the absolute line to be taken by the road, because I believe that the Chairman of the Metropolitan Board and those who act with him would have been able to make the required road without touching the portico and steps of the church. I am glad that my hon. and gallant Friend has taken the course he has; it is a most important question and principle that we have dealt with on this occasion. The object of the Metropolitan Board in these improvements is utilitarianism pure and simple. Is that principle to run riot through the public buildings of this metropolis? I venture to think that the House of Commons will never sanction such a principle as that. It has shown by the support which it has given to the Bill of the hon. Baronet opposite for the preservation of ancient monuments what its real views are; and I hope the action it has so taken will be a warning to the Metropolitan Board to respect the monuments in this metropolis less ancient than those under the charge of my hon. Friend (Sir John Lubbock).

Motion *agreed to.*

Bill read a second time, and *committed.*

POST OFFICE—POSTAL RATES TO INDIA.—QUESTION.

MR. POTTER asked the Postmaster General, Whether, inasmuch as two pence halfpenny is now the uniform rate of postage nearly all over the world with the exception of the British Colonies and dependencies, he is prepared to give our Indian fellow-subjects the advantage enjoyed by so many other nationalities; and, whether he can promise an early reduction of the present high rates between Great Britain and India?

LORD JOHN MANNERS, in reply, said, the rate of 2½*d.* for half an ounce was fixed by the Postal Union in 1874, as the rate between the countries which entered the Union at that time, and they were, for the most part, rates for European countries. Power was given by the Treaty to charge higher rates, in order to cover steam charge, in the case of other countries beyond the sea that might subsequently desire to enter the Union. Under the power thus reserved a total charge of 6*d.* was imposed on letters for British India and other places, and looking at the very great cost both to the Indian and the Imperial Governments of the mail service to India, he could not hold out any hope that a reduction would be made in that charge.

CATTLE DISEASE, IRELAND—ORDER IN COUNCIL—ILLICIT DISTILLATION.

QUESTION.

MR. HERBERT asked the Chief Secretary for Ireland, Whether he will have the provisions of the Act 33 and 34 Vic. c. 22, extended to Ireland, so as to allow the Irish farmers the same privileges as the English and Scotch farmers have of germinating grain for the purposes of cattle feeding?

SIR MICHAEL HICKS-BEACH: An Order in Council was passed by the Irish Privy Council on the 5th instant prohibiting the importation of animals into Ireland. The subject of germinating grain in Ireland for the feeding of cattle has been more than once brought under the notice of the House, and I have been in communication with my right hon. Friend the Chancellor of the Exchequer upon it. The result of inquiries which have been made from the Constabulary and Inland Revenue authorities is to show that the Government would not be justified in proposing to extend the Act, 33 & 34 *Vict.* c. 22, to Ireland. Illicit distillation still prevails in that country to an extent quite unknown in Great Britain, and the extension of this Act to Ireland would largely increase the facilities for committing this offence; while, on the other hand, it would not seem that the want of this Act can impose any real hardship on Irish farmers, as it is almost a dead letter in Great Britain. It has now been in force there for six years, yet in all England and Wales there are only 182 farms at which the process sanctioned by it is carried on, while in Scotland there is only one.

TURKEY—BRITISH CONSULAR POSTS.

QUESTIONS.

MR. J. HOLMS asked the Secretary of State for War, If his attention has been called to the Consular Return, No. 3, 1875, presented to this House; and, if he will be good enough to inform the House what Consular posts have been abolished in the disturbed provinces of European Turkey since the 1st of January 1872?

MR. GATHORNE HARDY: I am at some loss to understand why this Question has been put specially to me. In answer to the hon. Gentleman, I may say that what I said on a former occasion was in answer to what had been said as to there being a network of Consuls and Vice Consuls all over the European Provinces of Turkey. I said that I believed that they had been diminished, and I find they have been. In two instances the Consuls have been abolished, and in a third instance it has been made an unpaid place. I said nothing about the disturbed districts. What I referred to was a despatch of Sir Henry Elliot, dated July 14, 1876, in which he said—

> "I can add little to the statements in my despatch of the 6th instant. There is no British Consular Agent except at Adrianople, Rustchuk, and Bourgas, and they have seldom been able to guarantee the truth of the reports that reached them."

Again—

> "I have not been able to verify the reports of cases of wholesale slaughter which have been brought forward."

Those are the Reports I referred to. The Consuls now acting in the Provinces are the same as were appointed in 1872. Unfortunately, previously to 1872, the Consul at Philippopolis was removed, or there would have been earlier information of the events that took place in that district in the spring of last year.

MR. GLADSTONE: Is it not the case that the Consul at Adrianople was, unfortunately, not in full possession of the power of bodily locomotion, and was, consequently, not able to pay visits to the disturbed districts?

MR. GATHORNE HARDY: I am unable to give the right hon. Gentleman any information on that point.

METROPOLIS—HOLBORN IMPROVEMENT SCHEME.—QUESTION.

MR. KAY-SHUTTLEWORTH asked the Chairman of the Metropolitan Board of Works, with reference to the Holborn Improvement Scheme, dated 19th November 1875 (named in the Return No. 294, of last Session) under "The Artizans and Labourers Dwellings Improvement Act, 1875," What has been the fate of that scheme, and what steps the Board propose to take to deal with the district, declared by the Medical Officer of Health to be an unhealthy area in his representation dated 19th July 1875?

SIR JAMES HOGG: In reply to the Question of my hon. Friend, I beg to remind him that the scheme to which he refers was not approved by the Secretary of State. The Board of Works has brought in a Bill, which has just been read a second time to-day, for the purpose, among others, of widening Gray's Inn Lane, and the property required for this purpose will include a great portion of the unhealthy dwellings which were comprised in the scheme, and, in those circumstances, the Board did not think it expedient to deposit a new scheme.

CONSTABULARY, IRELAND—CASE OF CONSTABLE MALONEY.—QUESTION.

DR. WARD asked the Chief Secretary for Ireland, If it is true that a Constable, Maloney, of the Royal Irish Constabulary, was dismissed summarily without trial on a charge which he denied; that the constable afterwards took an action against the Inspector General for wrongful dismissal, &c. when the defendant pleaded that he was not liable, as the constable's dismissal was the act of the Lord Lieutenant; that the constable was non-suited, but that he afterwards petitioned the Lord Lieutenant, who directed a Court of Inquiry of Constabulary Officers to inquire into the case, and that the court acquitted the constable; if it has been the custom of the Inspector General of Constabulary to dismiss constables, and at the end of the month or quarter to send a return of such dismissals for the Lord Lieutenant's approval; and, whether there has been instituted any adequate safeguard against the abuse of this power of summary dismissal without trial of members of the Royal Irish Constabulary?

SIR MICHAEL HICKS-BEACH: In the summer of 1875 a very grave charge, of a character which any man, if innocent, would at once have desired to meet, was brought against a constable named Maloney. It seemed, at the time, that there was reason to believe that he had gone on leave, and remained on leave for some time, without taking any steps whatever to clear himself from it. Maloney was discharged, and the proceedings then followed which are stated in the first part of the hon. Member's Question. The man memorialized the Lord Lieutenant; and, as the result of inquiry into circumstances stated in his memorial, a court of Constabulary officers was directed to investigate the case, and, on their report, the constable was re-instated in the Force. The history of this case shows, I hope, that complaints made by members of the Force, however humble, will be fairly dealt with. The law gives to the Inspector General of Constabulary less complete power with regard to the summary dismissal of members of the Force than it gives to the heads of other bodies of police in the United Kingdom, and I have very recently sanctioned an alteration in the rules on this subject, with the view of instituting even greater safeguards in this respect than had before existed.

ADMIRALTY JURISDICTION (IRELAND) ACT, 1876—THE RULES AND ORDERS.

QUESTION.

MR. M'CARTHY DOWNING asked the Chief Secretary for Ireland, Why the Admiralty (Ireland) Act of 1876, extending the jurisdiction of the Recorders of Cork and Belfast has not been brought into operation, and when the procedure under the Act will be established?

SIR MICHAEL HICKS-BEACH, in reply, said, copies of the "Rules and Orders for the Local Courts of Admiralty in Ireland" were forwarded some time back by the Lord Chancellor of Ireland to the Recorders of Cork and Belfast and the Northern Law Society of Belfast, for their observations, which have only been received by the Lord Chancellor within the last day or two. He informs me that he has now sent the amended copies to the Judge of the Court of Admiralty and the Queen's Advocate, in order that they may be finally approved by them. As soon as this has been done the Rules and Orders will be complete; but until the Treasury have approved of the alterations which have been suggested in the scale of fees, it will be hardly possible for the Act of last Session to come into operation.

ARMY—THE AUXILIARY FORCES—GALWAY ARTILLERY REGIMENT.

QUESTION.

MR. MORRIS asked the Secretary of State for War, If in consequence of the large increase in the number of recruits in Galway, the Government will advise the enrolment of the City of Galway Artillery, or increase the County Regiment of Militia to its original strength?

MR. GATHORNE HARDY: The Galway Artillery Regiment has not been formed, because the Infantry regiment was unable to complete its establishment of ten companies. It has now been reduced to six companies, and the establishment is nearly complete. If on the expiration of the ensuing training the full number of men present themselves, there will be no objection to form the Artillery regiment.

POOR LAW UNIONS, IRELAND.

QUESTION.

MR. MORRIS asked the Chief Secretary for Ireland, If he will consider the question of amalgamating some of the small poor law unions in Ireland, with a view to effecting a large saving of useless expenditure; and if the Local Government Board of Ireland have received any Petitions on the subject?

SIR MICHAEL HICKS-BEACH, There are very few "small Poor Law Unions" in Ireland, if the area of Irish Unions be compared with that of English Unions, and from none of the smallest of them have petitions for amalgamation been received by the Local Government Board. But I believe that some memorials on the subject have been received from other quarters; and I think it better to defer any statement with regard to it until the hon. Member for Tyrone (Mr. Macartney) brings forward the proposal of which he has given Notice.

CATTLE PLAGUE.—QUESTIONS.

SIR WALTER BARTTELOT asked the Vice President of the Council, Whether the Cattle Plague or Rinderpest has appeared beyond the limits of the metropolis; if so, whether he will state the names of the places where it has broken out, and what steps have been taken to stamp out the disease?

VISCOUNT SANDON: Since the Question has been on the Paper I have been informed by hon. Members on both sides of the House that they would like more than a bare Answer to my hon. and gallant Friend's Question. Therefore, with the indulgence of the House, I will state what has occurred with respect to the metropolis since the discovery of cattle plague in Limehouse on the 31st January. The disease has been detected in nine other cowsheds in the districts of Poplar, Blackwall, Millwall, Stepney, Bow, and Hackney. Beyond the limits of the metropolis it has been discovered in two sheds at Stratford, and in one at Canning Town, in the county of Essex. In each case the diseased animals and those in the same shed with them have been slaughtered, and the premises have been disinfected under the direction of the local authority. I am sorry to say it has gone beyond Essex now. On the 17th instant information was received of the existence of the cattle plague in a dairy at Hull; and on the same night the Inspector of the Privy Council stationed at that port telegraphed that he had seen five cows infected with the disease in a dairy in Hill Street. On the 18th, an Inspector was sent from the Veterinary department to Hull to advise the local authorities that none of the cattle which were exposed for sale in the market on the following day should be allowed to go into the country; and further, that an examination should be made of all the dairies in the town. These precautions were at once adopted by the local authority, and all cattle in the fat-stock market on the Monday were sent to the defined part of the market for slaughter. All the cattle in the Hill Street dairy were slaughtered and buried. On the night of the 20th, cattle plague was detected in another dairy, in Adelaide Street, near the shed where the disease first appeared, and on the next day (yesterday) the disease was detected in another shed in Hill Street. I will now state what general measures have been taken to arrest the progress of the plague. A cordon has been put round the metropolis. No animals are allowed to leave it alive, and fairs and markets are prohibited, except by licence. The same measures have been taken respecting the southern parts of Essex, the East Riding, and the City of York. Importation of all cattle has been forbidden from Germany and Belgium. Importation has been forbidden for some time from Russia. All cattle coming from the Netherlands and France must be slaughtered at the port of debarkation. Healthy cattle may come into the markets after examination and detention from Spain, Portugal, and Denmark. The latter country has no diseased cattle within its boundaries, and these countries have never had the cattle plague. If any single animal is found to have any serious disease when first landed, all animals that have been in contact with it are immediately slaughtered. I can assure my hon. and gallant Friend that the Lord President is most anxious, in the interest both of the consumers and producers and the country generally, to do all in his power to prevent the spread of this terrible disorder. But, at the same time, it is essential to be very careful not to interfere more than is absolutely necessary for this purpose with the operations of the cattle traffic, which, it is needless to say, are of the greatest importance to the whole population of the country.

MR. W. E. FORSTER: May I ask the noble Lord, if he has any information as to how the cattle plague arrived at Hull—whether it came direct from Germany, or whether it is supposed to have come from London, and if direct from Germany, by what ship?

VISCOUNT SANDON: I am sorry that I cannot now give the right hon. Gentleman detailed information, but I believe it came direct from Germany. Perhaps the right hon Gentleman will put his Question on the Paper.

TURKEY—BULGARIAN ATROCITIES—SHEFKET PASHA.—QUESTION.

MR. RYLANDS asked the Under Secretary of State for Foreign Affairs, with reference to his statment that Shefket Pasha, if he had not been arrested, was certainly under the surveillance of the authorities of Constantinople, Whether the information given by the "Times" correspondent is correct that Shefket Pasha has left Constantinople to take the command of an Army Corps on the Danube?

MR. BOURKE: In reply to the Question of the hon. Member, I have to state that a telegram on this subject has reached the Foreign Office, and it appears from the telegram that there is no truth whatever in the report referred to. Shefket Pasha has received no military command.

NAVY—BOYS, IRELAND.—QUESTION.

MR. M'CARTHY DOWNING asked the First Lord of the Admiralty, If he would explain to the House why it is that a prohibitory rule has been established by which Irish boys, anxious to enter the Navy, are debarred from doing so on board the Guard Ship at Queenstown as they previously had done; whether they are not at present obliged to proceed to Plymouth or some other English or Scotch port, at their own expense, to enable them to enter the service; and whether the prohibitory rule referred to will be rescinded?

MR. HUNT, in reply, said, the rule referred to in the Question had, he was told, been in force for many years. The reason for it was that it was impossible to train the boys properly at Queenstown, and it would entail a heavy expense on the Admiralty to remove them from that port to the training ship. They were, therefore, asked to pay their own expenses to training ships in England and Scotland; but as at present the supply of boys for the Navy was greater than the demand, he could not hold out any hope that the rule applying to Ireland would be altered.

CENTRAL ASIA—KHELAT.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Under Secretary of State for Foreign Affairs, Whether the despatch of an escort with our political officer to Khelat has led to any remarks on the part of any Foreign Power or Representative?

MR. BOURKE: The despatch of an escort with our political officer to Khelat has not been the subject of any remarks on the part of any foreign Power or Representative.

TURKEY—MR. CONSUL FREEMAN.

QUESTION.

MR. HENRY SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether Sir Henry Elliot, having stated in Despatch No. 1,081 on page 745 of the Blue Book on Turkey, No. 1, 1877, that the Porte had sent him a note "giving unqualified denial of Mr. (Consul) Freeman's statements" as to atrocities committed in Bosnia by the Turks in the spring of 1876; and, that he had forwarded the Turkish note to Mr. Freeman for observations, he will lay upon the Table Mr. Freeman's reply, if any, to the Porte's denial of his statements; and, if there was a reply, if he would explain to the House why it was not published in the Blue Book?

MR. BOURKE: There has been no reply from Mr. Freeman to the Porte's denial of his statements upon the subject of the atrocities in Bosnia by the Turks in 1876. Papers on this subject (Turkey, No. 5) have to-day been laid upon the Table, comprising Mr. Freeman's original Report and the Porte's rejoinder.

ARMY—SWEARING IN OF RECRUITS.

QUESTION.

DR. LUSH asked the Secretary of State for War, If his attention has been drawn to the practice of swearing-in recruits at Bow Street during the hours of public business, alluded to in the "Times" of February 5th as follows:—

> "From the hours of three till five every day the narrow entrance to the building is literally besieged by a set of London roughs, who smoke, swear, and insult or annoy nearly every one who has to push through their ranks to reach the magistrates. . . . The officers in charge of the court are so utterly powerless to keep order that the attempt to restrain them is rarely made;"

and, whether he will take steps to arrange for the future swearing-in of recruits in a less annoying manner?

MR. GATHORNE HARDY: Every precaution is taken at Bow Street to prevent inconvenience being caused by the swearing-in of recruits, who latterly have been exceedingly numerous. They are sent down to Bow Street, as the nearest police court to the recruiting depôt, under charge of an experienced non-commissioned officer, and when the number is very large half are sent to another police court; they are sent, too, at an hour when the usual business of the court is over. No doubt, inconvenience does occur; but the Assistant Adjutant General for London recruiting states that no complaint of any kind has ever been made to him on this subject, and that he has the authority of one of the magistrates of Bow Street to state that, as far as the conduct of the recruits in court is concerned, there is no complaint made by the magistrates.

FOREIGN PHYSICIANS AND SURGEONS IN FRANCE.—QUESTION.

DR. LUSH asked the Under Secretary of State for Foreign Affairs, Whether the Government is in possession of and will give the House any information as to the proposals before the French Legislature to prohibit the practice of medicine and surgery in France by foreign physicians and surgeons; whether any representation has been made by our Ambassador in Paris to the French Government of the serious inconvenience to English invalids resident in France likely to result if such proposals are carried out; and, whether the Government is prepared to suggest some means for the consideration of the question of the mutual recognition of medical degrees and diplomas by France and England?

MR. BOURKE: Lord Derby has received a copy of the Bill now under the consideration of the French Chamber of Deputies. The effect of the measure, if passed, would be to prevent the practice of medicine in France by any one who had not qualified in that country as a medical man. The hardship that would thereby be inflicted on English medical men and invalids has been represented to the French Government, and at their request full information has been given of the law and custom in this country with regard to the practice of medicine, and a suggestion for the settlement of the question has been made by the Medical Council of Education. This proposal is now under the consideration of the French Government.

MILITARY SERVICE IN SOUTH AFRICA.

QUESTION.

MR. WHALLEY asked the Under Secretary of State for the Colonies, with reference to the state of affairs in South Africa, Whether, in the event of officers or men of the Reserve Forces or others volunteering to serve in South Africa, on the invitation of the Colonial authorities and in pursuance of arrangements by the Government, such service would be recognised so far as to provide for such volunteers a free passage to and from the Colony?

MR. J. LOWTHER: No application for service of the kind alluded to by the hon. Gentleman has been made to the Colonial Office. I would, however, point out that there are two distinct classes of force serving in the Colonies of South Africa—the colonial forces, which are recruited and maintained at the cost of each colony, with whose Government arrangements with regard to passages would have to be made by persons wishing to join such forces; and the contingent of British troops to which, of course, the hon. Gentleman's Question cannot apply.

TURKEY—THE TREATY OF 1856—THE ADJOURNED DEBATE.

QUESTION. OBSERVATIONS.

SIR CHARLES W. DILKE: I wish, Sir, to put a Question to you, with your leave, with regard to the Business of to-morrow. A large number of hon. Members have Notices on the Paper as Amendments to the Motion of Supply on the Question, that you, Sir, leave the Chair. Some, I understand, are willing to waive their right of speaking on their own Amendments, in order to allow the debate on Eastern Affairs to be resumed, while others are not; and I wish, therefore, to ask, whether, in the event of an hon. Member rising, you will call upon that Member; and whether you will kindly state to the House what is the position of the House with regard to the resumption of the debate which took place on the Order for going into Committee of Supply last Friday, and which was adjourned till to-morrow.

MR. SPEAKER: I will endeavour to explain to the House the position of the question for consideration to-morrow. On Friday last, on the Question that I do now leave the Chair to go into Committee of Supply, the right hon. Gentleman the Member for Greenwich, pursuant to Notice, asked certain Questions on Eastern affairs. No Amendment was proposed, but a debate ensued, which was ultimately adjourned; and there seemed to be a general understanding that the discussion should be renewed to-morrow. Had an Amendment been moved, the debate on that Question would necessarily be resumed to the exclusion of all other Amendments on going into Committee of Supply. But as the adjourned debate is simply on the

Question that "I now leave the Chair," and as several Members have given Notice of Amendments for to-morrow upon that Question, some difficulty may arise as to the continuance of the adjourned debate. If no Member rises to move an Amendment, the adjourned debate will naturally proceed; but, otherwise, I shall be bound to put any Amendment which may be moved, and the discussion will then be confined to that Amendment. Should it be the general desire of the House to continue the adjourned debate, hon. Gentlemen who have Notices on the Paper may be probably willing to defer to the general wish of the House and not move their Amendments; but if these Amendments are moved, I shall be bound to put them in order to the House, and the general rules of debate will be followed.

Mr. MITCHELL HENRY: I wish to make a few observations. [" Order."] If it is necessary I will conclude with a Motion. We are generally guided in these matters by the Government, or by the Leader of the Opposition, and I think it is a fair question to ask the Leaders on both sides whether the debate shall be continued to-morrow. If that is not settled, Members may come down here and find there is to be no debate on foreign affairs. It would be a very unfortunate circumstance if, as seems to be the determination, there is to be no debate on Eastern Affairs unless it be of a Party character. Of course, the Government are desirous that a distinct Vote of Confidence or No Confidence should be brought forward. That is perfectly evident. On the other hand there is a difference of opinion on this side of the House. Such a Motion, therefore, could not be brought forward with any chance of success. At the same time, we are, it is admitted, in a most critical position, and it is surely eminently desirable that we should not now repeat the history of the Crimean War and drift into difficulties which full and open discussion in this House would prevent. I therefore beg to ask respectfully the Leaders of the Opposition — [*Cries of* "Which of them!"] — the Leader, I beg pardon. I recognize however three Leaders of the Opposition; I beg the noble Lord's pardon. I would ask the noble Lord, Whether it is his intention to influence those who will be influenced by him to withdraw their Motions and allow this debate to go on. And if so, I would also ask the Leader of the House if he will use his influence to permit this debate to go on. I beg to move that the House do now adjourn.

Mr. TREVELYAN, in seconding the Motion, said: It is quite certain that anyone who has been a few years in this House would never hesitate to withdraw a Motion the pressing of which, at a particular moment, was against the wish of the House; but I could not withdraw my Motion for to-morrow night without making, in a few words, a protest against the conduct of the Leader of the House. If the continuance of the debate on Friday last is for the general interest of the public it should have been continued, in my opinion, in Government time, and the Government should have given a Government day. If it is not for the interest of the public that the debate should continue, then they ought to have left it to take care of itself, and not to have brought the great weight and authority of the Leader of the House to suggest a day, a suggestion which, whatever the form in which it might be couched, was virtually taking a second day from private Members. Why that suggestion was made, and why the debate is to be continued, I own personally I do not see. That debate turned on certain questions connected with Treaties well known to the House. A few—less than a few—one or two at the most—important points were raised, and these points were solved in the very able speech of the Secretary of State for War; a speech which, at the time, I thought I understood, but which, on reading it afterwards, I found was a still more complete exposition of the view of the Government with regard to the Treaties than I thought: and if any doubt were left in the mind of any hon. Gentleman, that doubt would have been removed by the admirably clear speech of the hon. Member for Liskeard (Mr. Courtney). That debate cannot now be resumed without our being led into a desultory discussion, with no definite issue; and in my opinion, considering the critical state of the Continent—for we are all of us patriots before we are Party men—considering that three weeks may plunge us into the middle of a war, if not the greatest, the most complicated in our time, I think the continuance of this aimless debate would be undesirable. Already we are told the applications for admission to the Strangers' Gallery are more numerous than was ever known; and I think that in a debate of that kind, the gentlemen who get seats there will not so much get information about the Treaties concerning Turkey as on certain topics which will rather conduce to their amusement than tend to raise their idea of the dignity of the House. But if the House is not of this opinion—if the House, as a body, thinks this debate should be continued—I have received too much indulgence at the hands of the House to stand between it and its wishes.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Mitchell Henry.*)

SIR WILLIAM FRASER: Until a few minutes ago I had no idea that this Question was to be asked. I shall be quite ready to go on with my Amendment to-morrow evening, or to abstain from doing so. If the right hon. Member for Greenwich (Mr. Gladstone), or the noble Marquess (the Marquess of Hartington), or any prominent Member of the Opposition, wishes to move a substantive Resolution to-morrow in the form of an Amendment to the Motion that the Speaker leave the Chair, I am willing to withdraw. But I will not withdraw unless the Resolution is a formal and distinct one, and on the issue that this House expresses a distinct opinion on the policy of Her Majesty's Government as regards the Eastern Question.

THE MARQUESS OF HARTINGTON: Sir, the inconvenient position in which the House finds itself appears to me to be altogether due to the unfortunate occurrence which took place towards the end of the debate last Friday evening. My hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) rose at a somewhat late hour on that occasion, and avowing at the outset of his remarks that he did not intend to address a single word to the discussion of the question which had been raised by my right hon. Friend the Member for Greenwich (Mr. Gladstone), proceeded to make some observations upon my right hon. Friend's conduct, which I think in the unanimous opinion of the House entitled, if it did not compel, my right hon. Friend to rise immediately to reply. That circumstance prevented some of my Friends who sit near me from making some observations which they wished to make upon the speech which had been delivered earlier in the evening by the right hon. Gentleman the Secretary of State for War—a speech which, in their opinion, left in a somewhat unsatisfactory position, in the absence of further explanation, the question which had been raised as to the situation of the country and of the Government with regard to our Treaty engagements and our Treaty obligations. But for the interruption to which I have referred the debate might well have been concluded last Friday night, and the inconvenient questions which have now come before the House for decision would never have arisen at all. The question for the consideration of the House now is, whether the discussion raised by my right hon. Friend is to be continued, and, if so, upon what day and under what conditions. Sir, I have no more desire than my hon. Friend the Member for Galway (Mr. Mitchell Henry), or my hon. Friend the Member for the Border Burghs (Mr. Trevelyan), that the debate should develop itself into a general and wide discussion upon the question of the East. I do, however, hold an opinion, as I have just stated, that it is not altogether satisfactory that the question as to our Treaty engagements should be left, after the partial discussion which has occurred, without further explanation from the Government; and, therefore, I do hope that either to-morrow, by the forbearance of private Members, or on a future day by the assistance of the Government, the discussion will be resumed. I am perfectly in accord with hon. Gentlemen who have spoken on this side of the House in the view they have expressed that it is not desirable to take the present opportunity of bringing on a full and exhaustive discussion of the Eastern Question. In saying this I am perfectly aware that if the discussion is resumed it is impossible to prevent, and it is perhaps unavoidable that the discussion will be of a somewhat wide character. The speech of the Secretary of State for War, to which I have referred, travelled to a very considerable extent—perhaps not an unjustifiable extent—beyond the limits which had been opened by my right hon. Friend the Member for Greenwich, I am not unmindful of the statement which was made at the conclusion of the debate by the right hon. Gentleman the Chancellor of the Exchequer, who informed us that we were at that time in a crisis as grave as any that had occurred during the long progress of these negotiations. I am not unmindful of the declarations which have been made by Members of Her Majesty's Government in "another place," declarations which we have heard with the greatest satisfaction — that the negotiations were not brought to an end by the termination of the Conference, and that Her Majesty's Government have not abandoned the hope of continuing the accord which was established with the other Powers, and of bringing about in some way the object for which the Conference met. Sir, I say that I am not unmindful of those declarations, and that we have heard them with the greatest satisfaction. and I am prepared to say that if, in the opinion of Her Majesty's Government, a resumption of the discussion—which may, and probably will, become a discursive discussion, will in any way embarrass the position of the Government, we on this side of the House have not in the smallest degree a wish to add to the difficulties of the situation. Sir, my hon. Friend the Member for Galway and the hon. Member for Kidderminster (Sir William Fraser) referred to a subject upon which, without entering into any argument, I should like to say a few words in order to remove some misconception which seems to exist as to the raising of a definite issue. It appears that it will be impossible to resume the debate to-morrow, because the hon. Member for Kidderminster has informed the House that he will not waive his privilege unless it is the intention of someone on this Bench to bring before the House what he calls a definite issue. I will state for the information of the hon. Member that, so far as I am aware, it is not the intention of any Member sitting on this Bench to bring forward to-morrow such a Resolution as he described. But, Sir, what is meant by these challenges that are constantly thrown out as to a definite issue? Do they mean that the Opposition is to propose a policy for the acceptance of the House and for the guidance of the Government? Sir, that, in my opinion, is not the duty of the Opposition. The policy which ought to be pursued at the present moment must depend to a very great extent—to an enormous extent—upon the intentions and views of foreign Governments. And though we have some information, and are able to form some conjecture as to what these views may be, still we do not pretend to be, and we are not in possession of full information on that subject. It is only from information in possession of Her Majesty's Government that we could propound a policy for the acceptance of Parliament. We are told, however, that if it is not incumbent upon us to propound a policy for the acceptance of Parliament, it is, at all events, our duty either to express disapproval of the policy of Her Majesty's Government or adherence to it. That proposition, also, I venture to deny. When you speak of the policy of Her Majesty's Government, if you refer to the past policy, our allegation is that the policy of Her Majesty's Government has been to a great extent modified, and has been beneficially modified, by the expression of public opinion out-of-doors. And we reserve to ourselves the right, and whatever may be said on the other side we shall continue to reserve to ourselves the right, of selecting our own time—we reserve to ourselves the right of deciding whether the time has arrived, or when the time may have arrived, for inviting an expression of the opinion of the House on the subject. If by the policy of Her Majesty's Government is meant the present policy as distinct from the past policy of Her Majesty's Government, why, then, I say that we do not very clearly know what that present policy is. We have been told very frequently what the policy of Her Majesty's Government is not. We have been told it is not a policy of coercion. But a policy cannot be constructed on any number of negatives, and to tell us that the policy of Her Majesty's Government is not coercion does not necessarily convey to our minds a complete idea of what that policy is. We do not complain of this. The Government have, no doubt, excellent reasons for not entering into full details of the position of the negotiations which are being carried on at the present moment. We are rejoiced to hear that negotiations are in progress —negotiations with a view to the continuance of the European concert; but it is idle to ask us in this state of things to approve or to condemn the policy of a Government as to which we are not altogether actually informed, when we could only base opposition on a negative or a series of negatives. For these reasons we do not consider that we are bound to raise at this moment what is called a definite issue for the decision of Parliament. We do not accept for one moment the proposition that in doing so we abandon any of the legitimate functions of the Opposition, because we believe that there are several functions of opposition which we are entitled, and are bound to exercise. We believe that it is our right and duty to point out generally the policy which, in our opinion, ought to be avoided, and the general direction of that which we think ought to be adopted. We are also of opinion that we have a right, and that it is our duty to do what we can to examine the policy of the Government, and not only to examine it, but to enable the country to examine it and to understand it. We believe that by the exercise of these functions during the Recess much public advantage has been already gained, and that in the continuance of the exercise of those functions much public advantage is still to be gained. A Government enjoying the confidence of a majority of this House has great rights and powers. They have at their disposal all the resources of the country, and a majority to enforce their will, but the minority have also rights. I deny, however, that the majority ever had or can have, as seems to be presumed by some hon. Gentlemen opposite, the right to invent a policy for or dictate one to the Opposition, or to insist on the time or manner in which that policy is to be proclaimed.

THE CHANCELLOR OF THE EXCHEQUER: I wish, in the first place, to correct what I think was an entire delusion on the part of my hon. Friend the Member for the Border Burghs (Mr. Trevelyan). He imputed to me, and with some warmth, conduct of which he thought he had a just right to complain with reference to the continuance of the discussion which was opened on Friday last; but it seems to me that he misunderstood what I then said. The state of the case was this—No Motion had been submitted to the House, but a debate, or what may rather be called a conversation, was raised which went on throughout the evening. At the close of the evening there were still, as the noble Lord has just reminded us, some Members of the House who were desirous of taking part in that conversation, which was originated by my right hon. Friend the Member for Greenwich, and which turned on the construction of certain Treaties. But for the interruption to which the noble Lord has referred we should in all probability have had more speeches on that subject, and further remarks might have been made by hon. Gentlemen opposite on the speech of my right hon. Friend the Secretary of State for War. A Motion for the adjournment of the debate was, however, made, and it was evident from the feeling of the House that it would not have been possible again to take up the thread of the somewhat technical discussion which had been raised by my right hon. Friend the Member for Greenwich. That being so, the House agreed to the adjournment of the debate, and the question was then raised as to the day on which the discussion should be resumed. There was only a choice between a Government night or a private Members' night for the purpose, and what I said was that, under the circumstances, there having been no Motion submitted to the House and no distinct issue raised, I was not disposed to give up the Government business either on Monday or to-night for the purpose of renewing the conversation. If a Motion had been before the House—I do not mean even one involving censure, but raising a definite issue—if, for instance, my right hon. Friend the Member for Greenwich had moved that a certain construction ought to be placed on the Treaties to which he referred, or anything of that sort, or there was any prospect of our arriving at a vote or decision on the part of the House, I should have felt differently. But it appeared to me that there was, under the circumstances, no adequate cause for giving a Government night to resume such a conversation as that in which we were engaged. Then what was to be done? I regret that by naming Friday, the next day on which Supply was to be taken, as a day on which the discussion might be continued, I should seem to have given any encouragement to those by whom it was originated to interfere with hon. Members who had Notices on the Paper. I certainly had no intention of doing anything of the kind. I could not but remember that the discussion on Friday last was arrived at by hon. Members surrendering their Motions for that day, and that it would be very inconvenient to other hon. Members who have Motions down for Friday next to give way. It seemed to me that it was a case in which the Government stood in a delicate position, for if we had used our influence to induce those hon. Members to insist on going on with their Motions, we might possibly be accused of flinching from a discussion which we certainly did not flinch from. That was the only reason why I mentioned Friday as a day on which the debate might be resumed. I was, perhaps, technically in the wrong in having done so much as that, for there being no Question before the House it would have been perfectly in Order for those who had Motions on the Paper to persevere with them. The practical question how, however, is what are we to do under the circumstances. I own it appears to me that there was great force in what has been said by several hon. Gentlemen, that unless there is some real definite object to be arrived at it is not particularly convenient to renew at the present moment an irregular discussion. I do not at all desire to dispute the doctrine which the noble Lord has just laid down as to the duties of the Opposition. Far be it from us to prescribe, or to attempt to prescribe, to the Opposition or to any Member of the House the course which they should follow in regard to matters of this importance. If they think it right to challenge our conduct or to submit to the House anything either in the nature of a Vote of Censure or an alternative vote to the effect that such or such a line of policy ought to be pursued, we should feel that the importance of such a Motion was great enough to render it necessary for us, unless there was the strongest reason against it, to name a convenient day for such a discussion. If, on the contrary, the Opposition think it more prudent or expedient to put Questions, and in that way to endeavour to elicit information on the subject, we do not complain of the adoption of that course. We do not complain, for instance, of what has been done by my right hon. Friend the Member for Greenwich, who desired to elicit information with regard to those particular Treaties, and if the Opposition deem it desirable to do so by all means let steps be taken to put such Questions; but I do think that it is not desirable that we should be called upon to make sacrifices and give up Government time in order that hon. Members should make inquiries that are not pointed to anything definite, and which might lead to a general discussion of an inconvenient character. It is not desirable that we should give any facilities for such a purpose; and I would even go further and venture to say, taking up what has been suggested by the noble Lord (the Marquess of Hartington), that unless there is some real and very clear advantage in renewing this discussion, I do not think the present a very convenient time for its renewal. The noble Lord stated very fairly what the general attitude of the Government is at this moment. It is not a position in which the door is closed, and you have nothing to do but to look back on matters which have come to an end, for at this moment negotiations of considerable importance are in progress; and although I do not go so far as to say that it would lead to great public inconvenience necessarily that we should speak at all upon Eastern affairs, yet I think this is not a moment which it is desirable to choose for the purpose. I hope things may still turn out better than some suppose; but I do not mean now to enter into matters of that kind. I would merely venture to suggest, looking at the attitude of all parties and Governments concerned, that it would be better to postpone this debate for the present. I refrain from saying more, lest it should be supposed that we desire to prevent discussion.

Mr. MITCHELL HENRY said, that after what had fallen from the right hon. Gentleman he had no wish to press on the discussion. At the same time, he did not think that the policy of "not speaking to the man at the wheel" had in former times conduced to peace; and he was certain that the country would not much longer tolerate the mysteries of Eastern diplomacy.

Motion, by leave, *withdrawn.*

PRISONS BILL.—[BILL 1.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Assheton Cross.*)

MR. NEWDEGATE said: I am anxious to call the attention of the House to some circumstances connected with this measure which appear to me to have been overlooked in the debate that took place on the second reading of this Bill. It appears to me that the majority, who support the Government on this Bill, have been acting and voting somewhat mechanically on the subject. This seems to be the case, because the policy now pursued by the Government is not consistent with the antecedents of their Party, or consistent with the general course of conduct which might be expected from a Party professing Conservative principles. When this Bill, or one very like it, was introduced last Session, by the present Government, that was the first occasion in the history of the Conservative Party, so far as I can trace it, when a direct attack was made by a Conservative Government upon the great principle of local self-government in relation to the imprisonment of criminals, and the infliction of punishment. I know it has been said that there has been an unexpected, though not at all universal, concurrence of opinion on this subject on the part of the courts of quarter sessions; but I should like for a moment to recall the attention of the House to what occurred in the last Session. A Prisons Bill having been introduced, the right hon. Gentleman at the head of the Home Department endeavoured to push it through a second reading at somewhat short notice, but at the desire of hon. Members of this House the right hon. Gentleman deferred the second reading, because the time for holding the quarter sessions was near at hand. I can answer for it, in one case at any rate, that a very small proportion of the magistrates assembled in quarter sessions had really had time to consider or understand the Bill, whilst hon. Members who are anxious to support the Government in their new policy, posted down to the various quarter sessions, and claimed the votes of many justices rather as a matter of Party allegiance than on the merits of the Bill. ["Hear, hear!" *and a voice* "No!"] Well, I am glad to hear that there has been some exception to the action I have described, and which I witnessed myself in one court of quarter sessions. I say, then, deliberately, that with the exception of the Middlesex quarter sessions, most of the courts of quarter sessions were taken by surprise, and in many cases voted their assent to the Bill, without giving it the full consideration it ought to have received, and which it would have had but for the fact that it was introduced by a Government with whose general policy in other respects the majority of the county justices have agreed, but to that policy this Bill certainly forms a very marked exception. We have had, Sir, an assurance from the right hon. Gentleman the Secretary of State that no one is more devoted to the principle of local government than he himself; and he asks us to accept this Bill as an illustration, I suppose, of his devotion to the principle of local government. Now, there is a great distinction between what may be termed "local government" and local self-government. The right hon. Gentleman proposes by his Bill to place a certain number of justices in the position of inspector of prisons commissioned to report to him and not to the court of quarter sessions. He reverses the position of the prison inspectors and of the visiting justices. He makes the inspectors and the commissioners the exponents of the power and sole control over the gaols which he seeks, while he commands the visiting committee of justices, whom he would appoint, and orders them to visit gaols to report to him as the central authority; and this is the manifestation he presents to us of his devotion to the ancient principle of local self-government. He then enunciated an extraordinary opinion with respect to the common law of this country, which he declares that by this Bill he does not infringe. With the permission of the House, I will quote the expressions of the right hon. Gentleman, expressions in which he seemed to deny that this Bill, if passed, would constitute what he considers an infringement of the great principle of the common law in the matter of local self-government. The right hon. Gentleman said—

"The hon. Member for North Warwickshire said that the Bill would interfere with common law, and quoted Lord Coke. But Lord Coke had laid it down that gaols could only be erected by the authority of Parliament. Gaols were always created by statute. But statutes could abolish them without interfering with the common law. Equally so far as the Justices were concerned they had no power by law over the gaols."

[Mr. ASSHETON CROSS: By common law, I said.] I accept the right hon. Gentleman's correction. "Justices by common law had no power over a gaol." [Mr. ASSHETON CROSS: Hear, hear!] Then am I to understand that no statute can afford proof of the requirements of the common law? That may be the right hon. Gentleman's opinion. I quoted a high authority the other night to show that statutes are very often explanatory, very often declaratory, of the common law, and that they much more often limit, and specially direct, than contravene the operation of the common law. But the right hon. Gentleman says further that the justices have no common law right over gaols. How is that, Sir? For by this very Bill he not only abolished the control which the magistrates have hitherto exercised, as Her Majesty's officers, in the regulation of gaols, in accordance with the common law, but also by this Bill he seeks to abolish the responsibility of the office of sheriff, in the matter of the custody of the great mass of prisoners in these gaols, and places himself at once in the position, or, to use a familiar phrase, in the shoes, not only of the justices, but also of the sheriff. Yet the right hon. Gentleman says this is no infraction of the common law. The right hon. Gentleman ought to be a high authority; but, with the permission of the House, I will read what is Lord Coke's definition of common law.

"Common law" (*Lex Communis*), says Lord Coke, "is taken for the law of this kingdom simply without any other law; as it was generally holden before any statute was enacted in Parliament to alter the same, and the King's Courts of Justice are called the Common Law Courts. The common law is founded upon the general customs of the realm, and includes in it the law of nature, the law of God, and the principles and maxims of the law. It is founded upon reason, and is said to be the perfection of reason, acquired by long study, observation, and experience, and refined by learned men in all ages. And it is the common birthright that the subject hath for the safeguard and defence, not only of his goods, lands, and revenues, but of his wife and children, body, fame, and life also."—[*Coke upon Littleton*, 97, 142. *Treatise of Laws*.]

Then what says Lord Hale? According to Hale—

"The common law of England is the common rule for administering justice within this kingdom, and asserts the King's royal prerogative, and likewise the rights and the liberties of the subject. It is generally that law, by which the determinations in the King's ordinary courts are guided, and this directs the course of descents of lands, the nature, extent, and qualification of estates, and thereon the manner and ceremonials of conveying them from one to another, with the forms, solemnities, and obligation of contracts, the rules and directions for the exposition of deeds and Acts of Parliament, the process, proceedings, judgments, and executions of our Courts of Justice; also the limits and bounds of Courts and jurisdictions, the several kinds of temporal offences and punishments, and their application," &c.—[*Hale's History of the Common Law*, pp. 24, 44, 45.]

Well, Sir, I presume that the right hon. Gentleman will not deny that the sheriff is by common law a representative of the King's authority in every county wherein he acts, during the term of his office, and that he is essentially a common law officer. The right hon. Gentleman will not deny that, inasmuch as common law is the growth of custom, the property of gaols before any statute was passed was vested in the justices as the representatives of the ratepayers, and is therefore the property of the county or borough, held by them in trust for the Crown, in trust for the execution of the law with respect to prisoners; and yet the right hon. Gentleman, knowing, as he ought to know, the nature of the common law, and that by the common law the great principle of local self-government exists throughout the country, and has done so for ages, comes down to this House and proposes to displace the magistrates, as trustees of the Crown, and to displace the sheriff, as the custodian of the prisoners in every county, and tells us that in thus centralizing the possession of this property and the authority over these prisoners, and the execution of justice in his own office, and yet he tells us that he proposes nothing in contravention of the common law. Sir, it is my desire that this delusion should be dispelled; and to show the House how this Bill violates a fundamental principle of common law, I will refer to a case that proves my position. The poisoner, Palmer, was captured at Rugeley, and imprisoned in the gaol at Stafford. Such was the general conviction of his guilt that his counsel thought he could not have a fair trial in the midland counties, for we in the midland counties knew him; and, to the best of my belief, if it had been possible for him to have escaped a conviction for the murder of my acquaintance—I may say my friend, Mr. Cooke, for I knew him well —this Palmer would have been immediately tried for two other murders. I am perfectly cognizant of this case. Was there, under these circumstances, any common law power, or statutable power to remove the trial to the Central Criminal Court? No! The common law directed that the man should be imprisoned, and, if convicted, whatever the penalty might be, that he should suffer that penalty within the jurisdiction in which he had committed his crime. It was not thought desirable to make a special statute for this special case, which might appear *ex post facto* and personal legislation; so a Bill was brought into the House of Lords by Lord Chancellor Cranworth, which was a general Bill, to modify and direct the operation of the common law, and thus become a part of the common law itself. The Trial of Offences Bill was brought in by Lord Cranworth on the 5th of February, 1856; and what did he say?

> "The Lord Chancellor said he had to present a Bill of an important character, which it was desirable should be sanctioned with as little delay as possible, to enable the Court of Queen's Bench to order certain offences to be tried at the Central Criminal Court. When a person was charged in the country with any serious offence which was likely to prejudice him in the eyes of the neighbourhood, it was competent for the Court of Queen's Bench to remove the proceedings into that Court. The case would then be tried in ordinary course in the Court of Queen's Bench by a trial at bar—a process which was not only attended with considerable expense, but occupied a great amount of time, and was not a convenient mode of trial for felony. It was therefore desirable that, at the discretion of the Court, such cases should be sent for trial to a more convenient tribunal, the Central Criminal Court."—[3 *Hansard*, cxl. 218.]

Lord Cranworth then went on to say there were doubts as to the legal power thus to remove the case to the Central Criminal Court, and that he presented the Bill to solve those doubts. These doubts had arisen, because common law primarily prescribed that the man should be tried at Stafford, in which county the offence was committed, and because, although the common law recognised the power of the Court of Queen's Bench to claim the trial of any prisoner elsewhere, the common law had not recognised the Central Criminal Court, for it is a comparatively modern Court. The Trial of Offences Bill was, therefore, carried for the purpose of enabling such cases as that of Palmer to be removed from the county where the offence was committed, and to be tried at the Central Criminal Court, after application had been made to the Court of Queen's Bench. When the second reading of the Bill came on Lord Campbell stated that—

> "It often happened that a fair and impartial trial could not be had in the county where the offence was committed; and when that was the case an application might now be made to the Court over which he presided to remove the indictment by *certiorari* into the Court of Queen's Bench; but then it could only be tried in an adjoining county, or by a trial at bar, both of which might be very inconvenient. In the Central Criminal Court, however, such a case could very well be heard, and very little delay would arise in bringing on a trial in this way."—[*Ibid.* 512.]

Lord Campbell admitted that the rule according to the common law was that the offender should be imprisoned and tried within the local jurisdiction (the county) in which he committed the offence, but also that the common law had recognised exceptions to this rule in particular cases, when an offender might be tried in an adjoining county, and that the only other alternative was a trial at bar, at which the attendance of all the Judges would be requisite, and which would thus be inconvenient. The Trial of Offences Bill was read a second time on the 11th of February, 1856. In April it was passed into law, and on the 14th of May, Palmer was tried and convicted at the Central Criminal Court. Then came in the operation of common law again. Having been convicted and sentenced to death in the Central Criminal Court, was he executed in London? No. For the injunction of the common law is that the offender should be returned to the scene of his crime, and accordingly he was sent back to Stafford Gaol, and was there executed on the 14th of June, 1856. Now this is a case in point, and proves how strong is the common law of the country in maintaining the great principles of local self-government; for the rule of the common law is, that every man who commits an offence must be imprisoned where the offence is committed, and if convicted he must be executed in that county, and it was only by a special statute that there could be a departure from the principle of local self-government in the trial of Palmer—an exception not extended to his execution. The right hon. Gentleman the Secretary of State for the Home Department says that he does not interfere with the common law by means of this Bill. Why, he has brought in a Bill to suspend the operation of common law in every county and borough in the United Kingdom, with respect to the possession by the authorities of these localities of their prisons—to suspend the functions of their magistrates, to suspend the functions of their sheriffs, and then he says—"I am doing nothing to intercept the operation of the common law," which he has not denied to be founded on the principle of local self-government. The right hon. Gentleman by this Bill is not satisfied with verifying his own dictum that every gaol must exist or be abolished by Act of Parliament, but he takes power to sweep away any or all of the gaols from the counties and boroughs of this country from the jurisdiction under which they exist, and to appropriate that jurisdiction to the central authority, which at present is vested in himself. Is this, Sir, no infraction of the principle of the common law? I beg the House not to pass this Bill lightly, though there may be a large majority in its favour. I own that I was rather disappointed at the conduct of the noble Lord at the head of the Opposition and of the other Members of the late Administration, who absented themselves from the division on the second reading of this Bill the other night. During the last Session of Parliament they twice voted against this Bill; once against the second reading and once against its further progress. Why have they all deserted when this same Bill has been again introduced this Session? True, they have not consented to the principle of the Bill. I am glad to say that they seem to object to the principle of the Bill as strongly as I do; but I ask, again, why they deserted the House when a division was called on the second reading of the Bill? Sir, I regard their conduct as proving that they have not yet learned the duties of an Opposition. What is the duty of an Opposition? Clearly this:—If they have a definite objection to any measure the Opposition ought to oppose it, and if they are left in a minority they must trust to their position being improved in the opinion of the country through the fulfilment of their duty. There are one or two other points which I should like briefly to touch upon with respect to this Bill, and first with regard to the forces that support it. The force which is most usually referred to is the demand for a remission of local taxation, urged upon this House and the Government by the Chambers of Agriculture. Hon. Members, and particularly the hon. Member for East Gloucestershire (Mr. J. R. Yorke), declared in the late debate on the second reading of this Bill that that was the motive of his votes; and the hon. Member for East Gloucestershire went beyond that, and said that he, for one, would not be satisfied with the transference to the Consolidated Fund of the charge for the prisons of England and Wales, but would demand that the charge for the country police should also become a charge on the national Exchequer, and I suppose he would go as far as the hon. Baronet the Member for South Devon (Sir Massey Lopes), and transfer the charge for lunatic asylums also to the Consolidated Fund. Now, although the Government declare that they will stop in this course of centralisation after they shall have, by the passing of this Bill, effected the centralisation of all property in and all the authority over the gaols, their supporters in this House, and their supporters out-of-doors in Chambers of Agriculture—not in all cases, perhaps, but in the majority of instances—declare that this is but a first step in the process of what they call relief from the burden of local taxation, which is worked in such a manner that it involves in each case a further resort to the process of centralisation. There is a force urging forward this measure to which I should like to direct the attention of the House. Ever since the year 1862 there has been a pressure brought to bear by the Roman Catholic Members of this House in favour of appointing regularly paid Roman Catholic chaplains in every county and borough prison. In that year Mr. Pope Hennessy brought in a Bill which would have rendered it obligatory upon every bench of magistrates, whether borough or county, to appoint a Roman Catholic chaplain, to keep a Creed register, and to assign to the sole care and direction of every Roman Catholic prisoner, whose name was entered in the register as a Roman Catholic, to a regularly-appointed and paid Roman Catholic chaplain. By that Bill, moreover, the prisoner was debarred of any option as to receiving the visits of the Roman Catholic priest; and the Bill would also have forbidden access to such prisoner, being a Roman Catholic, on the part of any other minister of religion than the Roman Catholic chaplain. That was the Bill which Mr. Pope Hennessy brought in; and I have here an account, given in *The Tablet* newspaper, of that Bill having been, prior to its introduction, examined by the Roman Catholic Bishops, and sanctioned by Cardinal Wiseman. That measure was avowedly promoted by Cardinal Wiseman and the Ultramontane Party in this country. Sir George Grey, who was then Home Secretary, declared that he could not assent to a measure that would have entailed the appointment of so great a number, perhaps not less than 116 Roman Catholic chaplains on such terms; but he promised to bring in a Bill the following year on the subject. Accordingly in 1863 he introduced and carried the Bill called the Prison Ministers Bill. That Bill provided that the justices might at their discretion appoint Roman Catholic chaplains, and that on the special request of any Roman Catholic prisoner, or of a prisoner of any other religious denomination, a minister of his religion might visit him, and that the prisoner should not be compelled to attend the services of the Church of England, or accept the ministrations of the Church of England chaplain. Now, that Bill satisfied the principles of religious freedom; but were Roman Catholic Members satisfied? I have a record here on that head. Not in the least, Although the Bill passed in 1863 gave perfect freedom of worship to every prisoner who was not a member of the Church of England, the agitation continued until in the year 1865 Sir George Grey introduced and carried a general Bill for the consolidation and amendment of the laws relating to prisons. Still, however, Sir George Grey, supported by the Conservative Party, and by his own friends the Whigs, and the great majority of the House, refused, to render compulsory the appointment of a Roman Catholic chaplain to every county and borough gaol in England and Wales; but he did go a step further towards satisfying the Roman Catholic demand. He consented that the direct request of the prisoner should not be necessary to bring him a Roman Catholic priest or the minister of a Dissenting church, as the case might be, but that the Roman Catholic priest or other minister might visit the prisoner if the latter did not object to receive his ministrations. Well, did even this concession satisfy the Roman Catholic demand? Not in the least. The Ultramontane agitation continued, and in the year 1866 the O'Conor Don moved a Resolution in this House, directed and especially aimed against the local authorities in charge of the county and borough prisons in Great Britain, because they did not use the discretion which was vested in them by the Prisons Act of 1863 and 1865 and appoint in most of their gaols, as permanent officers, Roman Catholic chaplains. In the year 1870 my Friend, the late Mr. Maguire, obtained the appointment of a Select Committee of this House to inquire into the conduct of the magistrates. He asked me to serve on that Committee, but I refused, because in moving for that Committee he had shown his *animus* to be still more determined than that of Mr. Pope Hennessy. These were the words which he used. He said, speaking of the Middlesex magistrates, "all that was required was that the same state of things should exist in this country as existed in Ireland." In speaking of the justices of the peace, he used the words "incorrigible bigots," and said he "was prepared to justify the use of those words. There were 800 prisoners in the gaols of Middlesex. In two of the prisons the law had not been put in force. In the other three it was inoperative." What did he mean by that? Why, that the magistrates had not appointed Roman Catholic chaplains in all the gaols, though in all they had obeyed the Acts of Parliament and allowed access by Roman Catholic priests to the prisoners whenever requested and when these evils were not objected to by the prisoners themselves. Still the agitation continued after 1870, until in 1872 a Bill was passed by the House of Lords; to this hour there is open discontent among the Catholic priests, because only 10 of their number have been appointed chaplains, although county and borough prisons are in number 116, whilst in the case of the convict prisons, of which there are 12, eight Roman Catholic chaplains have been appointed. We know, then, from their conduct during the last 15 years that the Roman Catholic hierarchy are disposed to attack the magistracy of this country, and deprive them of their control over the prisons, on the special ground that they have not appointed as many Roman Catholic chaplains as the hierarchy desire. That is another force of the attack directed against the magistracy of this country. And what is the third? The third is an importation of the right hon. Gentleman the Home Secretary himself. The right hon. Gentleman, in depriving the justices of the peace of the direction and control of the prisons, takes from them the appointment of all the officers. No doubt the proposal receives the approbation of Cardinal Manning, who, like the late Cardinal Wiseman, prefers that the Home Office should have the appointment of the prison chaplains rather than the local magistrates. He takes from the justices the appointment of all the officers, and what does he tell us? That he intends to incorporate in the Civil Service, already much overloaded, all the officers of the goals he intends to retain for the boroughs and counties of England and Wales; he has thus enlisted the Civil Service in his attack upon the unpaid magistracy. Then the right hon. Gentleman says, with reference to the subject of patronage, that he cannot conceive how the magistrates can wish to retain that patronage. Well, if the right hon. Gentleman finds patronage to be so very inconvenient, and desires to avoid trouble, why does he remain Secretary of State? Why does he, by accumulating patronage by this Bill, seek to place an additional burden on his already over-weighted shoulders? He says that he desires to increase the efficiency of the Service by giving opportunities for the promotion of those officers through their removal from one gaol to another, at the discretion of the central authority; and he declares that he proposes all these changes from a desire to enforce uniformity. I have heard another extraordinary reason for this measure. I have heard it said that because railways now cover the entire country, and that criminals can travel with greater ease than formerly, and that because the communication of intelligence is so rapid, that there can be no reason for preserving local self-government in the control and management of the prisoners or gaols. Thieves may travel by railway, but their offences must be local. Does not common sense tell one that, if access by railway is so easy to every part of Great Britain, and communication by telegraph is so rapid, supervision by the central authority must be ten times easier, and there is therefore less reason for depriving the several localities of self-government in the matter of their prisoners and gaols? Such arguments as these appear to me to have had undue weight with the Members of this House, who are now asked to reverse the policy which, to my knowledge, the Conservative Party have pursued for 30 years, in order to oust their brother justices from a jurisdiction, the exercise of which has resulted in a diminution of crime to such a degree that the comparative freedom of this country from crime has become one of its advantages in the eyes of all civilized nations. Do not tell me that prison discipline has nothing to do with the administration of justice. Sir, I am sorry to say that I have had to resist political pressure, put upon me to support or to make applications for the remission of sentences under the modern system of prison discipline—applications made to the Secretary of State. I have resisted those applications sternly—nay more, twice in this House it has been my duty to impugn the discretion of the Home Secretary, for the time being, in recommending the exercise of Her Majesty's prerogative of mercy. In both cases I was exposed to the whole political pressure of the organization which seeks the abolition of capital punishment, and I never undertook such a painful task in my life. From this experience I view with extreme jealousy the transfer of judicial authority to a political officer like the right hon. Gentleman. In this lies one of my distinct objections to this Bill. The Commissioners appointed to inquire into the exercise of the prerogative of mercy recommended that there should be a Council of non-political officers appointed to aid the Home Secretary, in order to counteract the possibility of political influence being used in the exercise of this, his judicial function. This House, by a large majority, gives a Government which calls itself "Conservative" power to strike down some of the best securities for the freedom and safety of Her Majesty's subjects, by destroying a branch of local self-government under the common law which has existed for centuries in local control of the local prisons in every county and borough throughout England and Wales. I wish the House distinctly to see the course upon which it may be embarked; if the House still persists in passing this Bill, which infringes the fundamental principle of ancient common law—I am told that this Bill will be forced on—then, Sir, I trust that this Bill will be treated as an exception to the future course of legislation, and that it will not prove to be a step in the direction of further centralization. I thank the House most sincerely for the kindness with which it has allowed me to trespass upon its time thus far; but now that the Constitution of this country is assailed in one of its vital parts, I ask the House to permit me to quote a document, and an opinion of one whose authority I believe the House will recognize as of the highest character, and to whom I referred in the debate on the second reading of this Bill—I mean the late M. de Tocqueville. Now, Sir, not only by the Bill before us, but by the whole process of centralizing legislation which has been going on too rapidly within the last few years, you have been approximating to the system of Beaurocracy which has attained such proportions in France, the system of the *Code Naopleon;* and here let me ask the House to mark the difference between the common law of England and the principle of the *Code Napoleon* of France; the Code, moreover, which now forms the basis of the administration and government of the greater part of Europe. The common law of England is founded upon the customs, the feelings, the practice of the nation, as illustrated in the various localities. The *Code Napoleon* is founded upon the Roman law. In the one case responsibility and authority are assumed to exist with the nation according to the classification of the inhabitants of the realm: that is the common law of England. In the other case the head of the State is the source of responsibility, authority, and power. That is the *Code Napoleon.* In France the head of the State is responsible for the peace of the whole country. In England every county, every borough, nay, every hundred, is responsible for the peace of the locality. Under the common law of England, it was provided on the 10th of April, 1848, every man is bound to act as a constable when called on by lawful authority. Under the *Code Napoleon* no man is allowed to act as a constable unless he is a paid officer of the State, and every man is liable to the conscription as a soldier. Under the *Code Napoleon* the first duty of the citizen is to serve as a soldier. Under the common law of England the first duty of the subject is to act as a constable. True, he may be pressed to serve in the Militia; but that is only a secondary duty. The House will understand this difference. It will understand that under the common law of England the whole nation is engaged in the maintenance of its peace. Under the *Code Napoleon* the head of the State is solely responsible for internal peace. In the difference between these two principles of Government, you will discover the greater security for internal peace which has been enjoyed in England as contrasted with France. With the permission of the House, I should like to read a few words which were written by M. de Tocqueville in a letter to his godson, by way of illustrating this fact, that the people of England have had reason to be more contented, more peaceful, and more orderly than the people of France, because under our common law their freedom is better secured. In this letter to his godson, who was about to study the Roman law, M. de Tocqueville says—

"Roman law has played a most important part in almost all modern nations. It has done them much good, and in my opinion still more harm. It has improved their civil laws and spoiled their political laws; for Roman law has two sides. The one concerns the relations between individuals, and in this respect it is one of the most admirable products of civilisation; and the other part has to do with the relations between subjects and Sovereign; and then it is full of the spirit of the age, when the last additions were made to its compilation, the spirit of slavery. Aided by Roman law and by its interpreters, the kings of the fourteenth and fifteenth centuries succeeded in founding absolute monarchy on the ruins of the free institutions

> of the Middle Ages. The English alone refused to adopt it, and they alone have preserved their independence."

Then he adds, and I desire particularly to draw the attention of the hon. and learned Members of this House, and especially the Law Officers of the Crown, to this important passage—

> "Your professors will not tell you this; but it is the most important part. Still the present is not the time for considering it, for your examination will not relate to it."

Now it appears to me, that the professors of law in this House, the Law Officers of the Crown and their predecessors in office, imitate the reticence of the professors De Tocqueville described. They have been ominously silent; they have not said one word to assist the House in seeking to understand the legal aspect of this Bill, nor have they told the House how we should understand its bearing on the common law of this country, and whether, by thus centralizing authority, we are not departing from the common law, and following the principles of the *Code Napoleon*, which, however they may be modified, are adverse to the freedom of the subject, and have in too many instances failed to secure the peace and order of society.

Mr. SPEAKER was about to put the Amendment which the hon. Gentleman had placed on the Paper—namely, that the Bill be committed that day six months, when—

Mr. NEWDEGATE said, that he had not moved the Amendment.

Mr. MUNTZ objected most strongly to the enormous power which it was proposed to give to the Home Secretary in regard to the management of prisons. The Home Secretary was to have the power to discontinue any gaol he might think proper, to make any rules he might think proper, to appoint any officials he might think proper, and to fix their salaries to any extent he might think proper. The avowed objects of the proposed changes were uniformity and economy; but the advantages to be reaped from such changes were outweighed by the disadvantages attending the destruction of the independence of local self-government. The problematical advantages expected from these changes, if any, might be obtained as well without affecting our common law in respect of local self-government. Why could we not have uniformity without decentralization? The same object might be obtained by giving the necessary instructions to the local authorities, without the Home Office taking the matter entirely into its own hands; and with regard to economy, the advantage to be gained in that respect was more ideal than real. If due examination were given to it, it would be found that the Bill was not so simple as it appeared. It was urged that the House would watch the increase of expenditure under that measure; but hon. Members who knew how business was done there and understood by experience how difficult it was to get any real reduction made in the mass of items which composed the Civil Service Estimates, would feel that Parliament could not place any very effectual check on the growth of such expenditure. The case of the Commission under the new Poor Law, the charge for which, though originally small, had crept up to a very large annual sum, was an illustration of what they might fairly expect to happen in the present instance. He had come in personal contact with many magistrates, and found some of them to be in favour and some against that Bill, a number of them saying that they must go with their Party in the matter. He regretted, however, that the question should be made a Party one on either side. Magistrates who were perfectly willing to do their share of duty felt that under the new system things might go on pretty well while the old magistrates and the old servants remained; but, when new comers were appointed, and the justices found themselves looked upon merely as intruders, new justices would not take the place of those who had died off, and the whole system of prison management would thus gradually fall into the hands of the Government Commissioners and their subordinates. If local taxation did press heavily, relief might be afforded without interfering with local management, which was one of the safeguards of the State. He moved that the House resolve itself into Committee that day six months.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said

Committee,"—(*Mr. Muntz,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. RODWELL said, some of the objections to the Bill were based on a misconception; and the dangers which had been suggested by the hon. Member for North Warwickshire (Mr. Newdegate) were so remote that there was no need to discuss them. He did not think that the observations of the hon. Gentleman were quite complimentary to those who supported this measure, because he said it was mechanical and due to Party feeling. Now, he (Mr. Rodwell) protested against that statement, that it was mechanical simply implied this—that after the very full discussion that had taken place there was little more that individual Members could add to the arguments for this Bill; but when the hon. Member stated that the support of the measure was dictated by Party motives, he seemed to have forgotten the speeches which had been made on both sides of the House. He did not see what inference the hon. Member wished to draw from his observations. The visiting justices were created by the Act of 1865, and, although they might suggest rules, they could not carry them out without the sanction of the Secretary of State. The only difference this Bill would make was that changes would be initiated by the Secretary of State, but he would not, therefore, really exercise any more power than he now possessed. He could not understand in what sense the term centralization was used. No one was more sensitive or jealous than himself about interference with local authorities and local administration; but in the administration of a prison the duties, of which the Justices were deprived, were more analogous to those of a house steward. Crime must be dealt with uniformly throughout the country, and in the application of general principles there was nothing calling for local knowledge or a consideration for local circumstances. There was no difficulty or danger in placing the power of appointing officers in the hands of the Home Secretary. The power of the visiting justices was very great, and clothed them with very great responsibility. They had to see that no unnecessary severity was practised on prisoners, and they acted between the Executive and the man who was under his sentence. So far from considering this Bill as a slur on the magistrates, he regarded it as a recognition of the services of those gentlemen. He believed they would be most useful to the Home Secretary in carrying out this Bill, and their co-operation would procure the confidence of the people of the country in the administration of the law being fairly carried out through the country.

SIR ANDREW LUSK said, that uniformity was the principal recommendation of the proposed change, and the absence of it at present was due, not so much to diversity in the administration of the internal affairs of prisons, as to want of uniformity in the sentences passed on prisoners, which was the reason why those confined in some prisons often expressed gratitude that they were not in other prisons where sentences were more severe. Much was made of the want of uniformity, but that applied far more strongly to the sentences of the Judges than to the discipline of prisons. One Judge gave 15 months' imprisonment and another five years' penal servitude, with, perhaps, the addition of flogging, for the same offence. There was an enormous discrepancy in the sentences, and that was one of the great evils that was complained of; but it would not be cured by this Bill. As a magistrate, he did feel the slight which was thrown on their body, and he thought this interference with them was very unnecessary. It was unfair and most undesirable to throw a slur upon those who had hitherto managed the prisons both wisely and well. All this legislation was proposed to shift the cost of prisons from the landowner, and the land, to the rates, and the peeple generally. The saving would be merely trifling, and it was not worth while changing the law for the small gain that would be realized. He had never yet seen affairs so well managed by public officials as by private individuals. He also objected to the Bill on the ground that it would increase and intensify the principle of centralization.

MR. A. MILLS said, he did not rise to prolong the debate; but there was one part of the Bill which he regarded with some anxiety, relating to the employment of the labour of prisoners. There was great weight in the objection raised to the practice which had obtained in some prisons in that respect. He hoped the necessity for pressing the clauses of which Notice had been given by way of Amendments would be removed by some distinct statement from the right hon. Gentleman as to the course he would be prepared to take if the House passed the Bill. He trusted the House would go into Committee on the Bill at once, as he regarded it, on the whole, as a step in the right direction, and calculated to promote uniformity of prison discipline throughout the country.

Mr. PEASE also trusted that the House would at once go into Committee. He thought the Bill well drawn and calculated to carry out the intentions of its framers; but he objected to its principles *in toto.* The principle was that everything should be governed in London and inspected in the country; whereas he held the reverse should be the rule — that everything should be governed in the country and inspected from London. The objects proposed by this Bill might have been attained quite as well by legislation of a different kind. There would be no difficulty in closing small prisons; and as to the treatment of prisoners, their treatment in convict prisons was much more arbitrary. Prison discipline would be more rigid, and consequently detrimental rather than improving to the prisoners. He believed the whole question arose out of the much-mooted point of local taxation, and if it were not brought forward on that ground there would be no feeling on either side of the House in favour of the Bill. It appeared to him the Goverment desired to shirk the question of local taxation, for, whilst they had moved certain payments from local to Imperial taxation, they had not altered the basis of local taxation in the least. This Bill would have very little, if any, effect in relieving local taxation, but it would postpone to a more indefinite period still the question of local areas and local government. He objected entirely to the principle of the Bill because it was opposed to the Constitution of England as at present established on this question, which he thought had worked so admirably for many years.

Mr. EVANS assured the House he was not influenced by any Party feeling or motives in giving his support to this Bill; and, with respect to any opposition offered to the Bill, it seemed to him to come from both sides of the House. He supported the Bill, not as a measure of economy or as a saving to local rates. Some economy might be effected, but he believed it would be very little, and the mere juggle of paying money out of one pocket into another would be no saving to the country. The reason why he supported the Bill was because he believed it would secure, not absolute uniformity, but much greater uniformity, in the discipline and management of gaols than was possible at present, and its provisions would enable the Home Secretary to remove prisoners from one gaol to another, and thereby lead to a classification of prisoners much better than could be secured by local agencies. When he supported the Bill last year he was not aware how it would be received by the country or by his own constituents; but he could now say that it had been very well received by his constituents and by the magistrates of his own county. Some hon. Members were opposed to it, because there was no provision in it to prevent Judges and magistrates passing unequal sentences on prisoners; but he apprehended that that was a matter beyond the Home Secretary's power. He admitted that it was desirable to have equal sentences; but there were difficulties in the matter.

Mr. ASSHETON CROSS said, he hoped that the House might now be allowed to go into Committee on the Bill, every point relating to the principle of which had been fully discussed, not only last year, but this year, and there would be an opportunity of discussing any detail in Committee. He wished merely to say in answer to the hon. Member for North Warwickshire (Mr. Newdegate) that when the question of local taxation was brought before the House it was distinctly stated by the hon. Baronet (Sir Massey Lopes) who brought the Motion forward, that if there was one thing Imperial as distinguished from local it was gaols. He (Mr. Cross) should have thought that his hon. Friend would then have pointed out the evils which would arise from taking such a step, because he must have known that if the whole charge were paid out of the Imperial Exchequer there must be Imperial control. Yet he found voting with the hon. Baronet on that occasion the hon. Member for North Warwickshire. [MR. NEWDEGATE explained that he voted without hearing the hon. Baronet's statement.] He was surprised that his hon. Friend should have given a vote without hearing the reasons for giving it. The House had heard a good deal from his hon. Friend and the hon. Member for Birmingham (Mr. Chamberlain) about the rights of magistrates which had gone on for centuries. But these gaols had not for centuries been under the magistrates. The gaols in old times were the "King's gaols," and the only persons who had the slightest rights with regard to them were the sheriffs; and if the sheriffs were to be taken as representatives of local self-government it was reducing local self-government to the very minimum. When we came to the magistrates, what had they to do with the gaols? In the time of Charles II. the magistrates at quarter sessions were authorized to fix the charges for the sheriff for the maintenance of prisoners. In the time of George II. they were empowered to make certain rules for the government of gaols, which otherwise were to be entirely in the hands of the sheriffs. Then, in 1774, the magistrates were specially charged with this most important duty—to see that the gaols were whitewashed; and it was not until 1784 that visiting justices were appointed to inquire into ordinary gaols; and, with regard to convict prisons, Inspectors were appointed to visit them regularly and report to the Home Office. And when we really came to this question of visiting justices, to speak as the hon. Member for Birmingham did of upsetting the institutions of the country was practically playing with words.

Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clause 1 (Short title of Act).

MR. RYLANDS said, there was no intention on the part of himself or his Friends to offer a factious opposition to the Bill, but they would rest satisfied with the expression of the feeling of the House in the large majority by which the second reading was carried. He appealed to the right hon. Gentleman not to press forward the Bill with so much haste. He yesterday received a letter from one of the most active and valuable magistrates on the committee of the Salford Prison, than which there was no prison in the country better managed, in which he complained that the Bill was pressed forward with such rapidity that the magistrates had no opportunity of considering its provisions. He thought it was only reasonable that a few days should be allowed to the local magistrates to consider the Bill and make suggestions.

MR. ASSHETON CROSS could not agree to the hon. Member's suggestions, seeing that the Bill had been before the country since last year. At the end of the Session the Government were always charged with not having brought forward their business early enough, and at the beginning of the Session they were accused of bringing it forward with undue haste.

Clause *agreed to.*

Clause 2 (Commencement of Act), *agreed to.*

Clause 3 (Application of Act).

MR. PAGET moved, in page 1, line 14, after "Prison Act, 1865," to insert "and to all other Prisons mentioned in this Act."

MR. ASSHETON CROSS opposed the Amendment, observing that the two classes of prisons were wholly different. It was thought right to retain the services of the visiting justices for the borough and county gaols, because the prisoners there, as a rule, were confined so short a time that they would have no opportunity of seeing the Government Inspector.

SIR JAMES LAWRENCE observed that whenever the question raised by the Amendment came on for discussion he should be prepared to argue that the wisest thing for any Government to do would be to secure the independent testimony of visiting justices in regard to what was going on in the convict prisons of the country.

Amendment, by leave, *withdrawn;* Clause *agreed to.*

PART I.

TRANSFER AND ADMINISTRATION OF PRISONS.

Transfer of Prisons.

Clause 4 (Maintenance of prisons and prisoners out of public funds), *postponed.*

Clause 5 (Prisons to vest in Secretary of State).

SIR JOHN KENNAWAY moved to insert after the word "offices," in page 1, line 25, "except as hereinafter provided." The particular point to which his Amendment was directed was the appointment of the higher officers of the prison—the surgeon and chaplain. The recommendations for appointment should be made by the visiting justices, whose local knowledge would better enable them to select proper persons than any office in London could do; but, of course, the power of dismissal would remain with the Home Secretary. He also thought the visiting justices should have some power in regulating the punishment of criminals. If all patronage were taken away from them there would be little inducement to anybody to join that body.

Amendment proposed, in page 1, line 25, after the word "officers," to insert the words "except as hereinafter provided."—(*Sir John Kennaway.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS could not accept the Amendment, because he thought it would be deterimental to the service. As to the inducements to become a visiting justice, he thought no man could be more usefully employed than in seeing that no unnecessary hardship was inflicted on prisoners by gaolers and officers. That being the function of justices, care must be taken that there was nothing like a conflict of authority, and it was, therefore, in his opinion, most desirable that all the officers should be appointed by one head. The justices would be able to recommend fit persons for the general prison service; but those persons would, of course, have to undergo the usual examination before they were appointed.

MR. CHARLEY said, that it was not intended to interfere with the power of appointment vested in the Home Secretary; but only to enable the visiting committees to recommend to him fit persons. He, however, thought the question involved was one which had much better be raised on the 11th clause.

SIR ANDREW LUSK was of opinion that at least the nominations to the offices of surgeon and chaplain should be left with the visiting justices. The surgeon must be a local man.

SIR WALTER BARTTELOT said that, much as he objected to the Bill, he wished it to be made as perfect as possible, and was satisfied that the less the magistrates had to do with the disposal of patronage the better it would be for them. As they were not to have the appointment of governors he did not think it desirable that they should have any other appointment. They might, however, recommend fitting persons for the various posts which would have to be filled up, and he felt sure those recommendations would have their due weight.

MR. KNATCHBULL-HUGESSEN said, that the hon. Baronet who had last spoken had taken an extremely sound view. He (Mr. Knatchbull-Hugessen) thought that all the patronage ought to be vested in one authority, and that as the justices were not to have the whole, it was not desirable that they should have a portion. Any division of responsibility in such a matter would be a mistake. As to what had been said about patronage, it was one of the most disagreeable things connected with office, and no Home Secretary would desire to have it for his own sake. He believed that as a rule magistrates were actuated by the best of motives in their bestowal of patronage, and it was not from any distrust of them that he thought it, on the whole, best that it should be taken from them in the present instance. He was convinced no magistrate worthy of the name would be actuated by any feelings arising from its loss in contributing, as far as he was able, to the good working of the Bill.

MR. NEWDEGATE asked whether the visiting committee were to have any connection with quarter sessions? ["No."]

MR. FLOYER contended that the real question at issue was how the services of the best men were to be secured, and that the magistrates should have the recognized position of being called upon to recommend persons for the various offices. He was glad that the matter of patronage was repudiated, and believed there was no greater delusion than that of supposing that the justices were anxious to possess it. If it were not presumptuous he would ask the right hon. Gentleman to re-consider the point. He desired as little change as possible, and he wished no more to be made than was necessary to carry out the Bill. He did not wish to retain the appointment, but the recommendation of the officers by the visiting justices.

MR. T. CAVE said, he had no doubt but that the recommendation of the visiting justices would be listened to by the Home Secretary, whoever he might be. He hoped that the hon. Baronet would press his Motion to a division.

MR. ASSHETON CROSS remarked that, of course, the magistrates might recommend any number of people, but that the adoption of the words of the Amendment would, if they had any meaning at all, be taken to mean that the magistrates were practically to have the power to dictate to the Secretary of State. This being his view of the effect of the Amendment, he must stand by the Bill as it was.

MR. M'CARTHY DOWNING said, it was unfortunate that such an Amendment had been so suddenly brought forward. He was afraid there was something more behind than appeared on the face of it. He rejoiced that the right hon. Gentleman intended to stand by the Bill and not accept the Amendment.

MR. PAGET said, that having taken part in the drawing up of the Amendment, he disclaimed entirely that there was anything behind the Amendment that did not appear on its face. All it meant was that the best men should be appointed to these offices. The patronage was not worth having, but the visiting justices were the best able to recommend a gentleman for the office of chaplain or surgeon.

MR. SERJEANT SIMON acquitted the supporters of the Amendment of any desire merely to retain patronage, but pointed out that there were other motives that there was reason to fear, particularly in connection with the appointment of chaplains. It was better to be without a statutory power if it meant nothing. The criminal law was the law of the land, and prisons which gave effect to the law ought to be national and not local institutions.

MR. ASSHETON did not love this Bill, and had voted against it; but when the Home Secretary had taken upon himself the power to manage these institutions, he thought it would be unwise to maintain a double power of appointment, which would be the effect of adopting the Amendment.

MR. RYLANDS also thought that the two systems could not co-exist, and that hon. Members opposite who had supported the Bill must make up their minds to surrender altogether the patronage of the visiting justices. He should, therefore, vote against the Amendment. At the same time, the Committee must not conceal from themselves that they were creating a great amount of political patronage by this measure. The Home Secretary was, no doubt, acting from the highest public motives; he was not promoting this Bill from any desire to create political patronage. But this would be the result of the measure; and whatever Party was in power, and whatever safeguards were imposed, this patronage would find its way into the hands of the Secretaries to the Treasury, with the result that a worse set of men would be appointed than would have been chosen by the visiting justice under the old system.

MR. WHITWELL should vote for the Amendment, believing that the privilege of nomination in these cases might properly be left to the visiting justices, the surgeon and chaplain being officials not connected with the permanent staff of prisons.

SIR JOHN KENNAWAY said, he would withdraw his Amendment, reserving to himself the right of proposing it upon the Report.

MR. WHALLEY (who spoke amidst cries of "Divide, divide!") said, he ought not to be interrupted, having had 30 years' experience as a magistrate. It would be dangerous to take away from magistrates their obligations to attend to these prisons. The Bill struck at the root of local government. The Romish influence was evidently at work in this Bill. This Bill was brought forward accompained by a bribe, which sacrificed, on the one hand, the principles of the constitution, and, on the other, the interests of those who contributed to the Imperial revenue, for the benefit of the landowners.

Mr. MUNTZ said, he did not see in what way uniformity of discipline could be endangered by leaving the appointment of surgeons and chaplains in the hands of the local magistrates. He should like to see these appointments remain as heretofore.

Dr. KENEALY said, he hoped the hon. Baronet would not withdraw the Amendment of which he had given Notice. As a rule, all the public appointments made by the magistrates of a county were with a view to the public interest. It had been said by the hon. and gallant Member for West Sussex (Sir Walter Barttelot) that if the chaplain and surgeon were not appointed by the magistrates, those officers would support the Governor through "thick and thin," and that meant that they would support him in any cruelty and tyranny. It would be better to have two officers who would take an independent part, would counteract the despotic power reposed in the governor, and would alleviate the sufferings of the prisoners, who under some governors were in a pitiable condition.

Question put.

The Committee *divided*:—Ayes 42; Noes 154: Majority 112.

Clause *agreed to.*

Administration of Prisons.

Prison Commissioners.

Clause 6 (Appointment of Prison Commissioners).

Mr. DODSON said, he wished to ask for an explanation from the right hon. Gentleman. There were a great many public Departments already, and this Bill created a new one and appointed a fresh Commission. Now, there were men at present charged with the superintendence and management of the convict prisons, and it had been asked last Session why a new body of Commissioners were to be appointed to manage the prisons taken over by the Secretary of State. Although the question had been put several times, so far as he could see no answer had been given either by the Home Secretary or the Chancellor of the Exchequer. Why could they not be put under the same management? This measure was advocated on two grounds—to secure uniformity of discipline, and to obtain greater economy. It would tend more to both that there should be only one Board to superintend all the different prisons under the control of the Home Office than that there should be two Boards, one of which was proposed under this Bill. He trusted the Home Secretary would afford some explanation as to the reasons which induced him to have a fresh body of directors under this Bill, and to afford the right hon. Gentleman an opportunity for doing so he would move, in page 2, line 13, after the word "appoint," to insert the words "under the directors of the convict prisons."

Mr. ASSHETON CROSS said, he explained last Session, and would now repeat, that the directors of convict prisons had already ample work to do, as they acted not only in that capacity, but as prison justices. If the whole of the duties to be discharged under this Bill were imposed on the directors of convict prisons, it would be necessary to add largely to their numbers and to their staff of clerks. It would be better in a transfer of this kind that the prisons should be under an independent body of Commissioners, because they would stand upon a different footing. In time it might be possible to amalgamate the two administrations; but it would be unwise to do it now, because a general impression would prevail if the prisons were put under the directors of convict prisons that the prisoners were about to be treated in a different way. The transfer of the whole of the gaols would cause an enormous amount of work to be done at first; and, therefore, for two reasons—because it would disarrange the work of the convict prison directors, and because he did not want it to be thought that the treatment of the prisoners would be any more severe than at present—he could not accept the Amendment.

Mr. BRISTOWE could not see why the management of the prisons should be transferred from an experienced body like the visiting justices and placed in the hands of a body consisting of Commissioners, who might or might not be experienced in prison management.

Mr. DODSON, while not quite satisfied with the right hon. Gentleman's argument, intimated his readiness to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. ASSHETON CROSS, the Clause was amended by the insertion of words providing that the Commissioners should be appointed with the approval of the Secretary of State.

MR. RYLANDS (for Mr. MUNTZ) moved, in page 2, line 16, to leave out "five," and insert "three." The Government seemed very fond of establishing new Boards and putting on them more members than were needed to do the work, whilst, for political and other reasons, unsuitable persons were often appointed. He considered that a Chief Commissioner and two Assistant Commissioners would be sufficient to perform all the duties that would be required of them.

SIR JAMES LAWRENCE could not support the Amendment. If it were withdrawn he would move that three should be the minimum number of Commissioners and five the maximum number.

MR. ASSHETON CROSS observed that the hon. Member for Birmingham, who was not just then in his place, had informed him that he did not intend to propose his Amendment. He did not think any alarm need be entertained in regard to the number of Commissioners to be appointed under the measure.

MR. KNATCHBULL-HUGESSEN preferred the clause as it stood to the proposed Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 7 (Appointment of inspectors, officers, and servants.)

SIR WALTER BARTTELOT moved, in page 2, line 33, to leave out "inspectors." The present Inspectors were to be continued and others were to be appointed; it was, therefore, desirable to have some explanation as to the number of Inspectors to be appointed. The number of prisons was to be reduced by 60 or 70, and it seemed to him that there would be less work for those men to do than heretofore. Besides, Commissioners were to be appointed, who would discharge the principal duties, and to whom Inspectors would necessarily be subordinate. If there was to be a large staff of Inspectors in addition to Commissioners, no one knew the expense that would be incurred.

MR. ASSHETON CROSS admitted that the question was a reasonable one. At the present moment there were three Inspectors, one of whom was told off to reformatory and industrial school work. They were appointed under the old Act. It was necessary to repeal that Act and appoint Inspectors under this Act. The Inspectors would have to visit the prisons all round, and their periodical visits would be more frequent than before. The Inspectors would have to report to the Commissioners where anything was wrong in order that it might be set right. It would not, however, be necessary to have many Inspectors to perform these duties, and a jealous watch would be kept over the number of them by the Chancellor of the Exchequer. No Inspector could be appointed without the sanction of the Treasury.

Amendment, by leave, *withdrawn.*

MR. GORST moved an Amendment. the object of which was to vest the appointment of storekeepers and accountants as well as Inspectors in the Home Secretary.

MR. ASSHETON CROSS said, that these officers were entirely subject to his approval, and he would be responsible for their appointment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 8 (Duties of Prison Commissioners).

MR. MACDONALD moved in page 3, line 21, after "work," to insert—

> "Provided always, "That such work shall be for the service of the State only, and that no trade have more than a fair proportion of prisoners employed thereon."

He observed that other Amendments with a similar object had been placed on the Paper, and that he had no special preference for his own Proviso if the principle which he had in view were introduced into the Bill. He thought, however, that it was a most dangerous principle that the prison labourer should not be allowed to compete with the labourer out-of-doors. If such was to be allowed, in the smallest degree, it would tend to create a feeling in the minds of the honest workmen that they would do better to become criminal as well. He was aware that it might be said that all they sent to the market would produce no effect. That he most strongly denied. All that went to the open market from the prisons was bound to produce evil results. If the right hon. Gentleman could give him some assurance that under the new regulations some such rule as that sketched in his Amendment would be adopted he should be content; but otherwise he should feel it his duty to go to a division.

Amendment proposed,

In page 3, line 21, after the word "work," to insert the words "Provided always, That such work shall be for the service of the State only, and that no trade have more than a fair proportion of prisoners employed thereon."—(*Mr. Macdonald.*)

Question proposed, "That those words be there inserted."

Mr. ASSHETON CROSS: As this is a subject to which I have given great attention, perhaps I had better at once state my views upon it. I would first point out an error into which the hon. Member (Mr. Macdonald) and others have fallen, in supposing that of necessity if a number of men in a gaol are set to any particular work it will interfere with free labour, because if the prisoners do not do it somebody else must do it. So that that objection is untenable. We are, I think, all agreed that it is wise to introduce industrial labour rather than merely penal labour into our prisons, because our object is to reform the prisoner; and I admit, on the other hand, that care should be taken in its use in some respects. Prison labour, for instance, should interfere as little as possible with the free labour of the country; as no doubt if all the prisoners in gaol were put to work at one trade that trade might be seriously injured. I have lately had conversations with the directors of labour in the convict prisons, and I understand that they are giving up mat-making, because too many have been made, probably because it is more easily learnt than other trades. It would be the desire of any one holding the office I have the honour to hold that prison labour should be spread over many kinds of employment, so that no one trade should suffer. So far as concerns borough and country gaols, I am not responsible for what has been done, since the direction of these matters has been long under the control of the county and borough visiting justices, who have generally taken measures to secure the greatest amount of profit from the prisoners' labour. One of the advantages which I hope will result from the Bill we are now considering is, that it will enable us all over the country to spread the labour in a better way than it could be done under a great number of separate jurisdictions. But when the hon. Member asks me to consent to his Proviso, that prison labour shall be employed for the service of the State only, and that at no time shall its produce be sold, I must object to the insertion of any such words in any Act of Parliament. In the first place, as I have shown, work done for the State in any case must compete with other work. ["No, no!"] The hon. Member says "No;" but it does. Supposing a new wing to a prison were built by the labour of prisoners, would not that take so much work out of the general market? Then as to the rest of the Proviso—"that no trade shall have more than a fair proportion of prisoners employed thereon," it would be impossible to put such words into an Act of Parliament. Who is to decide which is a fair proportion? I can, however, assure the hon. Member that this question has been under the consideration of the Home Office from the time we undertook this measure; and I have several persons of experience and standing looking into the matter; so that the regulations under this Bill which relate to labour may be framed so as not to interfere, if possible, with free labour.

Mr. W. E. FORSTER said, the explanation given was to a certain extent satisfactory; but as the matter was one of great importance and interest, he would suggest that it would be advantageous if the House were made acquainted with the regulations, at any rate before the Bill was reported. The question was a very difficult one, and the House ought to be able to give some opinion as to whether the regulations would meet the difficulty. The general principle of employing prisoners in remunerative labour was one that could not be given up without injury to the reformatory character of prisons; but, on the other hand, the persons concerned in some of the trades which were adopted had a right to complain, and he did not wonder at their complaints. He thought there not only ought to be a strong endeavour to prevent prisoners from being set to an employment that interfered with labour out of the prison, but that great care should be taken that prison labour should never be in any way used so as to affect a labour dispute. What little knowledge he had on the subject was not as to mats, but as to brush-making, and he was bound to say, that he thought the brush-makers made out their case. Care should also be taken to prevent an article made in prison from being sold under the market price.

MR. HENLEY said, he had paid great attention to this question, and from his observation and experience, there was no question that so much interfered with and seriously affected industrial labour as prison labour. He asked whether the Secretary of State had considered what the effect would be upon the criminals themselves and the general crime of the country. It was a great advantage to keep prisoners cheaply, but it was also a great advantage that they should be treated in such a way as to prevent them from coming back to gaol again. If prisons were made agreeable, instead of deterrent, their inmates would not mind coming back again. In those countries where prisoners were employed and profit was made to the State out of their labour there was a larger amount of criminal population in proportion to the population, and also a larger number of re-committals. There was nothing prisoners liked so little as to be employed on unremunerative labour, like picking up stones, or turning a crank; whereas industrial labour, which they could see was useful, and out of which they might perhaps hope to get something, was comparatively no punishment. He fortunately lived in a county where for the last 30 years crime had diminished more than one-half, and they had no industrial labour in their prisons. The suggestion had often been made, but the question always followed—what effect would it have upon re-committals? The use of a prison was to diminish crime and not to make a profit out of prison labour. And if, besides making labour less deterrent, they put honest men out of work, they would add to the thieves, for thieving was as catching as small-pox. He hoped the Government would take care not to press this industrial labour to far.

MR. LOCKE, who had the following Amendment on the Paper:—page 3, line 21, to leave out "the amount of their earnings," and insert—

> "So as to provide that any work upon which they shall be employed shall be for the purposes of the prison only, and not for profit or sale,"

said, he would not press it, as the Amendment of his hon. Friend now under discussion, and several other somewhat similiar Amendments, would in a considerable degree meet the object he had in view. He thought very little had been done with this question. It was as far back as 12 years since he first brought it under the consideration of the House and moved in it, and it always appeared to him that the Government threw it aside as soon as they could, and the country heard no more about it. His right hon. Friend, however, had now said that he meant to make some change and improved arrangement in the matter, and he hoped the right hon. Gentleman would do so in such a manner as to do away with the present system. Prisoners were very easily taught, and the articles in which they worked were sold at very low prices. It appeared to him that a very large number of prisoners were employed in that way, and in the competition of their labour the industrious tradesman suffered.

MR. FORSYTH agreed very much with what had fallen from the hon. Member for Stafford who had moved the Amendment. He felt that convict labour came severely into competition with industrial labour, and in illustration of that he might instance the industry of the blind, which was principally employed in mat-making, but which was almost destroyed by the article produced by prison labour being brought into competition with it in the market, and sold at a much less price. The hon. and learned Member quoted statistics showing a large proportion of prison labour employed in the article of mat-making, and to the great injury of poor blind mat-makers. At a reformatory in Bristol the labour of the inmates was let out to a brush-maker, who supplied the materials for brush-making. This he considered was unfair to those who were engaged in that trade. He thought a

Proviso ought to be inserted to the effect that the number of prisoners employed in any branch of industry should be in fair proportion to the numbers employed in other trades.

MR. SERJEANT SIMON said, he hoped the Secretary of State would lay down in the Bill a principle as to the proportion in which useful trades and employments were adopted as part of our penal system in prisons, and so as not to press unduly upon the trades and industries outside. He (Mr. Serjeant Simon) had a clause upon the Paper to give effect to this object, and he begged to call the Secretary of State's attention to it. There was undoubtedly a well-grounded complaint on the part of some trades of the undue competition set up by prison labour, and he thought that the Bill should lay down some general principle for the guidance of the Secretary of State in making new rules and regulations on the subject.

MR. CHARLEY said, he was glad that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had taken up the case of the brush-makers, because he had himself had many representations made to him on the subject. Brush-making and mat-making were easily learnt, and that was the reason why the prison authorities taught them to the prisoners. He thought employment of that sort was too light for persons who had been sentenced to punishment, and that it was the duty of the House to protect honest industry, and not allow the hard-working artizan to be driven down into the pauper class by the competition of prison labour.

MR. WHITBREAD trusted no Secretary of State would ever give up the remunerative employment of prisoners. He admitted, however, that mat-makers and brush-makers were hardly pressed by the results of prison labour. Both those trades only gave employment to a small number of persons, and it was a pity that the work of prisoners should come into competition with free labour. If prisoners were to be taught any trade at all it should be one in which a majority, rather than a minority of men were employed. But this could only be done at some sacrifice of prisoners' earnings. He urged the right hon. Gentleman to sacrifice some portion of the prison earnings in order to give the prisoners who were learning trades a better chance when discharged, and thereby remove the objection which outside trades had against prison labour. With regard to limiting the employment of prisoners to the making of prison clothing, if a prisoner was only to make his own clothing, and, perhaps, some part of the warders' also in a year, he would scarcely have to undergo much hard labour. As to the argument that prisoners ought not to be employed on any remunerative work lest it should compete with free industry, if it was pushed to an extreme, it would amount to this, that every prisoner must be put to the crank, the treadmill, or some other non-productive labour, in order that he might be kept entirely at the cost of the honest workman.

COLONEL BERESFORD pointed out that there were 2,600 prisoners concentrated upon the mat trade throughout the Kingdom last year, against 1,900 prisoners who were employed upon all other trades. In some gaols also the manufactured article was sold below the cost of the materials. In such a case it became impossible for the honest labourer outside to make a living.

MR. WYKEHAM MARTIN suggested that useful employment for convicts might be found in embanking and improving our navigable rivers. Such work would be the means of reclaiming much valuable land, and profitable to the State. He would recommend the Home Secretary to try the experiment in embanking the Thames.

SIR JOHN KENNAWAY said, that all unfair competition with trade should be removed; but the Amendment on the Paper stated exactly the principle on which the question should be determined —namely, that labour should be performed for the service of the State which was paid for by the State.

MR. T. CAVE observed that the Amendment embodied a most important principle, which had engaged the attention of other Governments, and which deserved careful consideration in connection with the Bill before the House. In one Canadian prison convict labour was let by public auction at 1*s*. 10½*d*. a-day per man, which brought in a net profit of £50 a-day for 1,000 convicts.

MR. W. STANHOPE observed that the making of cocoa-nut matting was originally a prison trade, and had existed many years at Wakefield, and in other prisons; but they could not now sell their goods in New York, and had thousands of pounds worth in hand. He thought it intolerable that ratepayers should be subjected to burdens for the support in idleness or useless labour of those who were breakers of the law. The usual result of prison labour was to induce criminals, when their term expired, not to labour, but if they taught men a trade, and, as they did in Wakefield, provided them with a home after they came out, so that they could carry it on till they obtained employment that would be the right means to adopt in reforming prisoners. In the case of those imprisoned under very short sentences, they could not look for any pecuniary benefit from their work, but must be content with simply inculcating the value of honest labour. Under this Bill he believed the Home Secretary would be enabled to make the best use of the labour of those who were under long sentences, and to distribute the work over all the prisons in such a manner as to interfere as little as possible with the traders outside.

MR. EVANS said, that it did not matter whether the prisoners made goods for the Government or not, as, if they were made for private individuals, they would be paid for. With regard to the question whether remunerative or unremunerative labour was the more deterrent, his experience differed from that of the right hon. Member for Oxfordshire (Mr. Henley), for in the county where he resided (Derbyshire) the system of remunerative labour had been adopted, and yet crime had greatly diminished even in an increasing population. At the same time, he believed it to be the case that when remunerative labour was first introduced in the form of stone-breaking the prisoners disliked it and preferred the treadmill, although the former might seem to be a much less irksome occupation; and perhaps the reason was that it grated upon their feelings to think that they were, to some extent, made to pay for their own imprisonment. As to the whole question, it seemed to him necessary to leave the matter very much in the hands of the Secretary of State.

MR. BEACH apprehended that the object of the Bill was to secure uniformity of system, and thought that the decision respecting the kind of labour to be carried out should be left to the Secretary of State.

MR. HOPWOOD observed that the right hon. Gentleman had undertaken to solve the most difficult problem which perhaps had risen in our time. He had to meet demands of the most conflicting character, and to decide between the advocates of the penal view and of the remunerative view of punishment, and they were nearly in equilibrium. It had been said that night that articles ought not to be sold below remunerative prices; but if large quantities were manufactured they must, by the mere knowledge of their existence, affect and lower market prices. It was also urged that they ought not to injure small trades such as brushmakers and matmakers. Now, he should like to know what would be the result if large trades were attacked instead, and Government offered to enter into competition with them. The trade organizations would take care that the right hon. Gentleman should not move in that direction. He thought that House should itself decide this question, instead of entrusting the duty to the Secretary of State—who was, of course, honest in intention—aided by two or three unknown persons, supposed to be peculiarly acquainted with the subject. He hoped the idea that had been suggested that long periods of imprisonment should be reverted to as the best means of effecting an economical result and of making men better members of society would not meet with the sanction of the House. He argued that probably 30,000 persons were every year sent to gaol, not for crimes, but because they could not pay some trifling fine or expenses, and that if this were obviated, the demand for prisons would be vastly diminished.

MR. A. MILLS said, he should have been glad if the Home Secretary had seen his way to acquiesce in the suggestions thrown out in the earlier part of the evening by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and have promised to tell them on the Report the regulations he proposed should be framed to carry out what he thought was fair and reasonable, and have thereby saved the Committee the trouble of dividing. In utilizing the labour of our prisoners he hoped it would not be done by crushing any particular industry. He strongly deprecated a return to the old system of unremunerative labour, such as turning a crank without producing any useful result, which he regarded as most depressing and morally injurious to the prisoners.

Mr. PEASE said, he thought the discussion had gone far enough. All agreed that certain small trades had been very prejudicially affected by the competition of prison labour. He did not believe those interests would be effectually protected by putting words into an Act of Parliament, and thought it would be better to leave the matter in the hands of the Secretary of State. Then if there were any undue interference with any of the small industries of the country the subject could be brought under the consideration of the House.

Mr. WHALLEY denied that the prison labour would seriously interfere with labour out-of-doors, inasmuch as it would deprive any particular trade of only one customer—the State. Over and beyond that they would have no competition to contend against in either the home, or in the foreign market.

Mr. JACOB BRIGHT regretted he could not vote for the Amendment of the hon. Member for Staffordshire (Mr. Macdonald), as a palpable fallacy was underlying his argument. If prison labour was employed in work for the State, it was as much competing labour as if it were employed in other directions. He would, therefore, propose to amend the Amendment by leaving out the words from "that" in the first line to "that" in the second line, when the Resolution would run thus:—"Provided always; That no trade have more than a fair proportion of prisoners employed thereon."

Mr. MORLEY appealed to the Home Secretary to accept these words. The right hon. Gentleman had already declared his acceptance of their general meaning, and he would do a great service in allaying a great deal of dissatisfaction and bad feeling if he would embody some words to that effect in one of the clauses of the Bill.

Mr. MACDONALD said, he would have been very glad to have accepted the statement of the right hon. Gentleman the Home Secretary only it, in his opinion, really amounted to nothing. He had the utmost confidence in the right hon. Gentleman; but if to-morrow he were removed, they would be placed in a different position, and no assurances or acts of the right hon. Gentleman would be binding upon his Successor. Unless he got a clearer promise from the Home Secretary he should certainly divide the Committee upon this subject. The present system had already driven the matmakers to a state of destitution. So it had the brushmakers. ["No, no."] Prison labour had done that. What trade was the right hon. Gentleman going to attack next? Was it the brewers? If he was going to attack them, he could assure him that they would make his tenure of office not worth a year's purchase. None knew that better than the right hon. Gentleman himself. [*Laughter.*] Hon. Gentlemen laughed; but was it the manufacturers? Was it proposed to weave cotton or cloth in the prison? If he would only dare to attempt it, all Manchester and the other large manufacturing towns of the Kingdom would be up in arms. The doors of the Home Office would never be closed till the arrangement was changed. There was one place for the criminals that were to be set to work—they should be made to work on the waste and uncultivated lands, there they would compete with no one, and they would do the nation a service.

Mr. ASSHETON CROSS said, what he had stated was that these prisoners must either sit with their hands before them, or they must work. Of course, the opinion of the House and the country would be that when a man went to prison he must work. Now, was he to work at carrying big cannon-balls, or was he to be employed in industrial labour? Great benefits would result from his being employed in industrial labour. He (Mr. Cross) quite agreed that prisoners should be employed in hard and disagreeable labour. When things were made in prison they must be sold, and the question was how they should be sold. He could only reply to hon. Members who had spoken on this subject, that he hoped they would remember that in the whole of the discussion not one word had been said about the labour performed by the 10,000 persons who were in the convict prisons. He thought that fact, at all events, might be taken as some guarantee that when the other prisons and their 18,000 prisoners came under the jurisdiction of the Secretary of State, the same care which was now taken by the directors of convict prisons would be taken by the new directors proposed by the Bill. It was impossible to insert in an Act of Parliament, which might have to be construed in Courts of Law, a clause enacting that prisoners should only be employed in the service of the State, and that no trade should have more than a fair share of the prison labour. All he could say was that the same care which was bestowed on the distribution of the convict labour should be bestowed upon that of the other prisoners, and that, so far as it was possible to distribute the labour, it should be done.

MR. W. E. FORSTER could not vote either for the Amendment of the hon. Member for Stafford (Mr. Macdonald) or that of the hon. Member for Manchester (Mr. Jacob Bright), but he did not think the opinion of the House would be at all fairly represented by the numbers which would be arrived at if they went to a division; because many Members like himself would be obliged to vote against these Amendments, and yet would think that something might have been done in the matter. He hoped the Home Secretary would consider whether, before the Bill passed its final stages, he could not introduce words which should embody a general principle regulating the distribution of labour.

Amendment amended, by leaving out the words "that such work shall be for the service of the State only, and"

Question put,

"That the words 'Provided always, That no trade have more than a fair proportion of prisoners employed thereon,' be there inserted."

The Committee *divided*:—Ayes 70; Noes 218: Majority 148.

MR. LOCKE moved, in page 3, line 21, to leave out "the amount of their earnings" and insert—

"So as to provide that any work upon which they shall be employed shall be for the purposes of the prison only, and not for profit or sale."

Amendment *negatived.*

Clause *agreed to.*

Clause 9 (Reports by Prisons Commissioners) *agreed to.*

Visiting Committee of Justices.

Clause 10 (Appointment of visiting committee of prisons.)

MR. SANDFORD moved that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sandford.*)

MR. ASSHETON CROSS said, if it were the desire of the Committee that Progress should be reported he should not oppose the Motion.

Question put.

The Committee *divided*:—Ayes 217; Noes 27: Majority 190.

Committee report Progress; to sit again *To-morrow.*

COUNTY BOARDS (IRELAND) BILL.

On Motion of Captain NOLAN, Bill for the formation of Elective County Boards in Ireland, *ordered* to be brought in by Captain NOLAN, Mr. FAY, and Mr. O'CLERY.

Bill *presented*, and read the first time. [Bill 100.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 23rd February, 1877.

EMPLOYERS AND SERVANTS—"COMMON EMPLOYMENT."

MOTION FOR A SELECT COMMITTEE.

EARL DE LA WARR said, he was about to ask the attention of their Lordships to the state of the law as existing between employers and servants in connection with the subject of what was termed "common employment;" and to move for a Select Committee to inquire into the present operation of the law, and whether any alteration or amendment of the same is desirable. He did so under a sense of the importance of the subject, which had been recently forced upon his notice as one of Her Majesty's Commissioners to inquire into the causes of Railway Accidents. It seemed to him to be one which required immediate attention. He was aware it was a question which was not free from difficulties; and the law, as it now stood in relation to it, was uncertain both in its interpretation and its operation; and therefore, perhaps, he should best clear the way for any consideration which their Lordships might think fit to give the question if he first stated what appeared to be the law to which he was about to refer. The general law was that masters were liable to pay compensation for injuries done or caused by their servants in the ordinary course of their employment — of course, he confined his observations to civil liabilities only. Admitting, then, that there was a general liability of masters to pay compensation for injuries done or caused by their servants, he wished to point out some of the difficulties which arose, as it appeared to him, in a just and equal administration of the law. He believed it was the case that actions for compensation for injuries had become more frequent. That might partly be accounted for by the fact that there were now more companies who jointly carried on works in the place of individual masters—such as colliery companies, mining companies, railway companies, building companies, and other like companies. The company in those cases was the master, but they exercised little or no personal superintendence of the works which they carried on. The consequence was that these company employers had become to a great degree not liable, in the eyes of the law, for the acts of their servants. Out of this had arisen the question of "common employment." There was no question of the liability of individual masters and companies to compensate strangers for injuries, but it had become a disputed question of law whether servants could obtain compensation for injuries caused by one to the other. There was introduced into the question the doctrine of what was termed "common employment," by which was understood that if two or more persons were engaged in the same occupation the master would not be liable for the injury caused by one servant to the other. And in that view of it, in the case of companies, it was still more against the interests of the servants than in the case of individual employers, inasmuch as the officers of the company — it might be the manager or foreman in mining or colliery works, the superintendent or stationmaster of a railway, the engine-driver or other person in authority — were considered fellow-servants, and in common employment with those under them. Suppose, for instance, the foreman of mining works were to order a man to do some dangerous work. If the man disobeyed, he might be discharged; if he received an injury he could not recover compensation, because the foreman was in "common employment" with him; or again, if a railway servant was ordered by his superior officer to do some work, in doing which he was injured, he could not claim compensation for the same reason, because he was in "common employment" with the person who was over him. It appeared to him there was some hardship in that—he ventured to say some injustice. He did not think it was contemplated by the law. He knew it was said that when a man engaged himself in such or such work knowing the risks and dangers of it, he took the engagement with all the consequences; and perhaps that might be so. But that was a different matter from accepting risks that he could not know of when he made the engagement; because he did so supposing that all reasonable care and precaution would be taken to protect him against injury. But if he was injured through the negligence of the person in authority over him, or through defects of machinery or want of proper appliances which ought to have been provided by the master or company, it was surely a hard case that he should not be able to obtain compensation. If the accident arose from his own negligence it was, of course, another thing; but it could hardly be said of such a man that he had knowingly subjected himself to these unforeseen risks. Their Lordships must know how large a number of persons lost their lives by accidents in collieries, in mines, on railways, in building and in other ways. He was not able to give now any general statistics, but he could refer to the Returns of railway accidents, by which it appeared that in the year 1875 upwards of 4,000 railway servants were either killed or injured in connection with railways, and few, if any, of these could obtain compensation for themselves or their families. He did not propose to enter into a legal discussion; but it might be desirable to remind their Lordships that a considerable difference of opinion did exist among legal authorities. He ventured to think their Lordships would agree that the interests—and they were very important interests — of a large number of the working classes in this respect should not be left under an uncertain state of law, resting as it did only upon the decisions of Courts, which were far from being unanimous. Judges, such as Baron Alderson, Chief Baron Pollock, Chief Justice Cockburn, and others had delivered judgments in cases of this kind; but they differed in important points; and Lord Justice Brett had recently declined to lay down any rule as to the principle on which the immunity of the masters rested, but that he was bound by the law and by the authority of decided cases to say that it did exist. Thus conflicting opinions of Courts of Law had in a great degree complicated the question; but, nevertheless, there was a simple and ancient maxim of the law—*Qui facit per alium facit per se*—which would seem to clear the way very much if it could be acted upon. If colliery or mining companies delegated their authority to a foreman or manager or any other person, it was surely only reasonable and fair that the company should be responsible and liable for the acts of those who were acting in their name and with their authority. It was clearly their duty to appoint competent and trustworthy persons over those whom they employed. In like manner, in the case of railways, superintendents, station masters, engine drivers, or any other officer, when acting with the authority of the company, should render the company liable in cases of accidents not only to the public, of which there was no question, but also to their own servants, unless negligence or want of due precaution could be proved on the part of those who were employed.

Moved that a Select Committee be appointed to inquire into the present operation of the law existing between employers and servants in connection with the subject of "common employment," and whether any alteration or amendment of the same is desirable.—(*The Earl De La Warr.*)

LORD HOUGHTON observed that questions of the individual cases were much mixed up with questions of law in this matter; and the real difficulty in dealing with the question was to place a responsibility on the masters without affecting the sense of responsibility of the workman. Last Session a Select Committee of the House of Commons was appointed to consider this subject. He wished to ask whether it was the intention of the Government to propose the re-appointment of that Committee. If so, the adoption of the noble Earl's Motion for a Select Committee of their Lordships' House might lead to the waste of time of taking the same evidence a second time. The Committee had taken a great deal of evidence, and he thought it preferable that the inquiry should be continued by that Committee rather than that the subject should be taken up afresh by a Committee of their Lordships.

EARL BEAUCHAMP said, the noble Baron who had just sat down had anticipated the answer he was about to give to the Question of the noble Earl. It was not his intention to follow the noble Earl through all the various legal questions on which he had touched, or to endeavour to persuade their Lordships that the law as it now stood was either wrong or right. Their Lordships ought to be reminded that last year a Bill was introduced into the House of Commons by Mr. Macdonald, the Member for Stafford, which dealt with this question. A short discussion took place upon the second reading of that Bill, during which his right hon. Friend the Secretary of State for the Home Department expressed an opinion that there were defects in the existing law, and the Bill was withdrawn on the understanding that the whole question should be referred to a Select Committee. That Select Committee was immediately appointed, and it contained representatives of the servants' as well as of the masters' interests; and was presided over by the right hon. Gentleman the Member for the University of London (Mr. Lowe). A good deal of valuable evidence was taken; but the Committee did not arrive at any conclusions. In its Report at the close of the Session it recommended its own re-appointment; and it was the intention of Her Majesty's Government to support that proposition. Therefore he thought, should that be the case, it would be inexpedient for their Lordships to embark on an inquiry which must either go over the same ground as that travelled over by the Committee of the

House of Commons or pursue a different line of inquiry. He need not point out that if their Lordships' Committee were to merely travel over the same ground as the House of Commons' Committee had been over, it would be a mere waste of time; and, on the other hand, suppose their Lordships diverged into "fresh fields and pastures new" there would be great inconvenience in the whole subject being divided between two Blue Books instead of being brought together in a Report of the House of Commons. He did not think it was alleged generally that the law was uncertain. He would not go into all the legal questions which had been raised by the noble Earl; but he believed he might say that by the law as it at present existed a master was bound to provide proper machinery and appliances, and that he was liable for injury done to his servants for the want of this proper machinery and appliances if it could be shown that he knew it was ineffective. Mr. Broadhurst, the secretary of the Parliamentary Committee of the Trades Union Congress, stated before the Select Committee last year that the number of accidents annually occurring were very few when compared with the number of men employed. He thought that showed that the employers of labour had recognized the obligations placed upon them, and that they had endeavoured to supply proper machinery and appliances. As he understood it, it was not so much the uncertainty of the law which was complained of as its hardness on servants who carried out the orders of those placed over them. He hoped his noble Friend would not think it necessary to press his Motion.

Earl COWPER regretted that the Committee had not been conceded by the Government. He thought that a Select Committee of their Lordships' House might be trusted not to ask over again questions which had been answered to the Committee of the House of Commons, and as many of their Lordships had not very much to do at this period of the year, he thought that the House might very well agree to the Motion of the noble Earl. He hoped that the question would not be shelved. Seeing that in four years 9,000 of the class known to the law as "servants" had been injured, and no fewer than 3,000 had lost their lives, it must be admitted that a very serious case had been made out. There was a widespread feeling that the existing law was unfair in respect of that class. He admitted that much of the proposed legislation with regard to railway accidents would have the mischievous tendency of destroying responsibility in those in whom it ought to be vested; but legislation to amend the law referred to by the noble Earl who proposed the Committee would have exactly the contrary tendency. He was only sorry that legislation could not be undertaken without further inquiry.

Lord DUNSANY said, that in some quarters there was an idea that masters should be made responsible for all accidents sustained by those in their employment, if those accidents occurred while the employed were at work. This would be manifestly unwise. He thought there was a tendency to shift responsibility to the wrong persons. The workmen should be restrained by a sense of responsibility from those acts of carelessness which in nine cases out of ten were the cause of the most serious accidents—especially in collieries. No employer could prevent his men from pulling out a lucifer match in the gaseous portions of his mine. He hoped, therefore, that there would be no legislation in a one-sided direction.

Earl DE LA WARR said, that after the statement made on the part of the Government, he was willing to withdraw his Motion.

Motion (by leave of the House) *withdrawn.*

House adjourned at Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 23rd February, 1877.

MINUTES.]—New Writ Issued—*For* Launceston, *v.* James Henry Deakin, esquire, Manor of Northstead.

Public Bills — *Select Committee*—Sale of Intoxicating Liquors on Sunday (Ireland) [50], Mr. Ion Hamilton and Mr. O'Shaughnessy *added.*

Committee—Beer Licences (Ireland) * [57]—r.p.

COOLIE EMIGRATION TO SURINAM.

QUESTION.

DR. CAMERON asked the Under Secretary of State for India, Whether proposals have been received from the Dutch Government regarding the re-opening of Coolie Emigration from Calcutta to the Dutch Colony of Surinam; and, whether there is any prospect of the embargo at present laid upon that Emigration being removed?

LORD GEORGE HAMILTON: Sir, proposals for the emigration of 300 coolies from Calcutta to the Dutch colony of Surinam, as a temporary measure, have reached the Secretary of State in Council; and the Government of India have been requested by telegraph to allow the emigration to this extent. With regard to the removal of the prohibition ordered by the Indian Government of coolie emigration generally to Surinam, this matter has been and is still the subject of correspondence with the Netherlands Government, and the conditions on which the Government of India would allow the regular renewal of the emigration have been submitted to the Government of Holland.

MERCHANT SHIPPING ACT, 1876—THE "ROCK TERRACE."—QUESTION.

MR. MELDON (for Major O'GORMAN) asked the President of the Board of Trade, If his attention has been called to an affidavit made by Martin O'Brien, chief mate of the ship "Rock Terrace," at Tobos de Tierra, on the 29th July, 1876, to the effect that the captain of that ship (A. Kemay) was seen to alter the position of the load line by moving it two feet higher up the ship's side on the night of the 15th July, and which it is stated the captain admitted to be true at a naval court martial held at Callao on the 5th September, 1876; whether he is aware that the captain's charge of insubordination against Martin O'Brien then heard was dismissed; whether, although on the 25th September the ship was hauled into dock and discharged of 300 tons, the crew were imprisoned for three months for not sailing in her, in her original overloaded state, and the wages of the mate and seamen have not been paid; and, whether he will direct that steps be taken to inquire into the case, and to punish the captain, if guilty, and to obtain justice for the men by the payment of their wages?

SIR CHARLES ADDERLEY, in reply, said, the load-line which the captain of the *Rock Terrace* moved was a mark made by the Peruvian port authorities, who, by a customary imposition, nicknamed "buying drafts," place a low load-line, and take a bribe, in this case of $600, to let it be moved higher. The Naval Court, of course, expressed disapprobation of this common practice. The captain moved the line to the place specified in the terms of the charter-party. If the ship had loaded only to the Peruvian mark, she would have been short of about 350 tons of the cargo she could safely carry. By a survey held by a surveyor appointed by Lloyd's surveyor, on her arrival at Callao, her average draught of water, fore and aft, was 23 feet, 1½ inches, giving her a freeboard of 5 feet, 9½ inches; and Lloyd's surveyor, together with two shipmasters, pronounced her seaworthy and able to carry her cargo. The Court found Martin O'Brien, the mate, guilty of insubordination, with extenuating circumstances, and ordered him to pay 1-23rd of the survey expenses and one-half of the Court expenses, and to be discharged from the ship. The seamen, who pleaded that the ship was overloaded, were found guilty of refusing duty without reasonable cause, and combining to disobey lawful commands. The Court held that the ship was not overloaded when the offences of the crew were committed. Martin O'Brien's wages were paid over to the Consul, but returned to him, as no expenses were incurred on his behalf. The wages of five of the seamen were forfeited to the ship. These Courts were held on the 5th, 11th, and 14th of September. He had no information of anything done since, and was, therefore, not aware that any cargo was discharged on the 25th of September.

NAVY—THE ADMIRALTY AND THE RUSSIAN GOVERNMENT.—QUESTION.

MR. W. WHITWORTH asked the First Lord of the Admiralty, If he will lay upon the Table of the House a Copy of the Minute or Order authorising the construction or other department of the Admiralty to furnish to the Russian Government (previous to and up to the commencement of the late Crimean War) general and detailed working plans of any of our war ships building or about to be built, and also if information of this description can still be obtained by that Government?

Mr. HUNT: Sir, I have caused search to be made as far back as 1848, and no trace of any such Minute or Order as that mentioned in the Question can be found at the Admiralty. With regard to the second part of the Question, I have to say there is no general rule or order as to giving detailed plans of ships building or about to be built to any foreign Governments. Whenever an application is made it is considered on its merits, and a decision given at the time.

INDIAN ORDNANCE CORPS—PENSIONERS, &c.—QUESTION.

Mr. DUNBAR asked the Under Secretary of State for India, Whether the Secretary of State has taken or will take into consideration "the conditions and rates of the retiring pensions of officers of the old Indian Ordnance Corps," as suggested by the Commissioners on Army Promotion and Retirement at page 32 of their Report; whether he proposes to take any and what steps to ensure "to these officers, as far as may be, an equality in this respect with those of the other branches of the service;" whether he will adopt, as far as may be the plan proposed to be adopted (subject to the sanction of the Treasury) by the Secretary of State for War, which that right honourable Gentleman has stated would proceed generally on the lines recommended by the Commissioners, or what other steps he proposes to take in the matter; and, if he has determined on any plan to secure that the flow of promotion in these Corps should be such as to ensure efficiency which the Commissioners had reported was essential?

Lord GEORGE HAMILTON: Sir, the subject to which the hon. Gentleman's Question refers is under the consideration of the Secretary of State for India. It is a question of some complexity, and before any decision is arrived at by the Secretary of State for India he must consult the War Office, and also be in possession of the views of the Indian Government. I am, therefore, at the present moment unable to give definite replies to the various parts of the Question of the hon. Member.

TREASURY SOLICITOR ACT, 1876—ESTATE OF THE LATE MR. W. PATERSON.—QUESTION.

Mr. GRIEVE asked the Secretary to the Treasury, If he will state the reasons which have induced the Lords of Her Majesty's Treasury to refuse the claims of the nearest relations, on both father and mother's side, to a grant of the estate of the late William Paterson, of Paterson, who resided in Kilmarnock, and who died there in January, 1874, which estate has fallen to the Crown as "ultimus hæres," and amounts in value to upwards of £40,000; and if there will be any objection to lay upon the Table of the House a Return showing how such estates have hitherto been disposed of by the Crown when applications for grants have been made by relations of the deceased?

Mr. W. H. SMITH, in reply, said, he was afraid that if he were to state the reasons which had induced the Treasury to refuse the claim which had been preferred at the Treasury, he should occupy too much of the time of the House upon a matter which was certainly not of special interest; but he should be glad to state the general principles on which the Treasury proceeded in dealing with cases of this sort. The Treasury, in considering first of all the claim of any individual, inquired whether there was any evidence, either by an informal will or otherwise, of an intention to make provision for that individual. Then they considered further whether a strong claim existed on the part of individuals with regard to whom there was no such evidence. Then they proceeded to consider what would have been the disposal of the property supposing the deceased had been legitimate, and they followed the principles laid down by the law for the distribution of property in the case of legitimate persons who died intestate. But he must observe that the Treasury was simply the trustee of the Exchequer in this matter, and that, although no will had been produced, there was no evidence that a will did not exist. There was now a claim before the Treasury on behalf of persons entitled to an estate which, in the absence of a will, lapsed to the Crown in

1823. In that case grants were made to a number of persons, and now individuals produced a will and claimed to be entitled to the estate. They claimed from the Treasury not only the property as it existed in 1823, but the interest also of the property from that time. It was, therefore, the duty of the Treasury not to make grants rashly out of property which for the time they held, and with regard to which they must probably give an account on a future day. If, however, the hon. Gentleman would call upon him at the Treasury, he would be most happy to state to him the circumstances of the particular case about which he enquired.

ARMY—SOLDIERS IN PROVOST PRISONS.—QUESTION.

MR. J. COWEN asked the Secretary of State for War, If he would state to the House what number of soldiers were in confinement in provost prisons on the 1st January, 1876, and how many were in confinement in barrack cells on the same day?

MR. GATHORNE HARDY, in reply, said, that on December 31, 1875, there were 89 in the prison at Aldershot, the only provost prison there was, while at the same date in barrack cells there were 280.

THE MERCHANT SHIPPING ACT, 1876—THE EXPLOSIVE SUBSTANCES ACT—THE "GREAT QUEENSLAND."

QUESTION.

LORD ESLINGTON asked the President of the Board of Trade, Whether any inquiry is about to be made into the supposed loss of the "Great Queensland;" and, whether he still adheres to the answer he lately gave as to the sufficiency of the law in regard to the improper stowage of explosive merchandise on board ship?

SIR CHARLES ADDERLEY: An inquiry into the disappearance of the *Great Queensland* was decided on several weeks ago by the Board of Trade, though she has not yet been posted at Lloyd's as missing. I adhere to my expressed opinion that the law is as sufficient as it can be made at present to check improper stowage of explosives. The cases cited against such an opinion, so far as I can ascertain, occurred before the law I referred to came into operation.

POLICE SUPERANNUATION—LEGISLATION.—QUESTION.

GENERAL SHUTE asked the Secretary of State for the Home Department, Whether it is the intention of Government to bring in a Bill this Session relating to police superannuation, or whether any measure is likely to result from the proceedings of the Select Committee which took a great deal of evidence on this subject during the Session of 1875?

MR. ASSHETON CROSS, in reply, said, the Committee in question took a great deal of evidence, but they adjourned because they were in want of certain financial statements which had to be made, and which it took a long time to complete. Those financial statements were, he believed, now completed. His hon. Friend the Under Secretary would in a few days move the re-appointment of the Committee, and as soon as their labours were concluded the Government would endeavour to see what could be done in the matter.

METROPOLIS—HYDE PARK CORNER.

QUESTION.

MR. E. B. DENISON asked the First Commissioners of Works, Whether any amended scheme opening up the approaches to Hyde Park Corner has been finally approved by the Office of Works?

MR. GERARD NOEL: Sir, I have a scheme to open up the approaches to Hyde Park Corner. I have carefully considered all the different plans which have been proposed, all of them have considerable merit, especially the one shadowed forth by my right hon. Friend the Member for Clackmannan (Mr. Adam); but in my opinion they would not remedy the evil complained of, I mean the block to the traffic at Hyde Park Corner; the question must be dealt with in a more comprehensive manner. If you do the thing at all, you ought to do it well. This would require a considerable expenditure, and in present circumstances, with a Revenue not too flourishing, I fear I cannot ask Parliament for a Vote for this purpose. My hon. Friend must remember that a considerable sum has been spent in improving Rotten Row. I hope, therefore, he will not press me further this year; but if he will be good enough to repeat his Question in February, 1878, I shall hope to give him a more satisfactory answer. and to show him a plan which, if carried out, would effect the object he has in view, and, at at the same time, I am sanguine enough to believe would prove an ornament to the metropolis.

SUPPLY.—COMMITTEE.

Order read, for resuming Adjourned Debate on Question [16th February], "That Mr. Speaker do now leave the Chair."

Question again proposed.

FOREIGN OFFICE AND DIPLOMATIC SERVICE—OPEN COMPETITION.

RESOLUTION.

Mr. TREVELYAN, in rising to move—

> "That, in the opinion of this House, the principle of open competition for first appointments, which prevails in the Army and in most of the Public Departments, should be extended to the Foreign Office and the Diplomatic Service,"

said: Sir, I cannot think that the House will consider this an inappropriate occasion to bring forward a question on which Parliament has never been definitely asked to pronounce itself. The very grandeur of the occurrences which now fill everybody's mind render this Motion the more opportune. Men are never so willing to apply themselves to the reform of any part of our administrative machinery as when their attention has been directed to its working by startling events. The greatest changes which were ever introduced into our military — changes the magnitude of which we all admit, though as to the necessity of some part of them we still differ—were due to the agitation of opinion caused by the Franco-German War of 1870; and therefore, if ever men are likely to turn themselves to a practical consideration of the constitution of our Diplomatic Service, it is at a moment like this, when we are still in the throes of one of the most prolonged and dubious diplomatic campaigns in which Europe ever found herself engaged. And in another respect I cannot but regard myself as singularly fortunate in the period at which this subject comes before the consideration of the House. There was a time—not so long ago—when any proposal to make nomination to the public service depend upon success in an examination was met by the answer which is the most telling in the ears of an English House of Commons—that any such idea was the idea of a doctrinaire. It is not long since, men—with whom I should never venture to compare myself in ability—argued in vain in favour of open competition against adversaries who thought that they had said quite enough in reply when they had pronounced that Parliament had no time to listen to a crotchet. But the events of the last few years have done much—have done everything—to cut the ground from under our opponents, and to put us in the position of advantage which they formerly occupied. During those years there has taken place the greatest change in the *personnel* of our administration that has ever occurred in any great country in an equal space of time. As lately as 1860 a Select Committee of the House of Commons, while expressing a predilection for the new system, was so apprehensive of moving too fast ahead of public opinion, that they only ventured to recommend its adoption in a limited and guarded form. But when once the idea of appointment by open competition had been fairly presented to the consideration of the public, it grew so rapidly in favour and esteem that by the year 1875, with exceptions which were either very rare or very insignificant, it prevailed throughout the whole extent of our civil and military services;—in the Guards and the Line, in the Engineers, and the Artillery; in the Treasury, the India Office, the War Office, the Admiralty. Everyone who had intellectual, responsible, and highly-paid work to do was henceforward to enter by the gate of merit, and not by the gate of favour. Two or three important Departments—including those to which this Resolution refers—were excepted from this general regulation, and were told, by a strange inconsistency, to regard their exception as a privilege. But they purchased that privilege dearly; for, in order to obtain it they were henceforward classed, not among the most honoured and desirable, but among the least distinguished branches of our public service. The Secretaries of our Embassies and the clerks of the Foreign Office must be content to appear in the same schedule, not with the gentlemen of the Privy Council Office, the Privy Seal Office, and the Treasury; not with the officers of Her Majesty's Household Brigade, and the sub-lieutenants of our crack regiments or our scientific corps; but with such honest, though humble, *employés* as the boatmen and watermen in the Customs; the keepers and woodmen of the Parks; the firelighters, cleaners, and charwomen of the public offices; the gasfitter and lamplighter of the Mint; and the stable-boy and laundrymaid in the criminal lunatic asylum at Broadmoor. And the almost universal adoption of open competition has dispensed me from the necessity of employing the most disagreeable line of argument which a Member of Parliament can be driven to use. In old days, those who endeavoured to effect a change in the method of appointing public servants were under the obligation of showing that the existing public servants were not all that they should be. And even if the advocate of such a change was prudent enough to refrain from any invidious reflections, yet the mere fact of his wishing to alter the method of appointing public servants was construed, and not unnaturally construed, into a censure upon the public servants who had been appointed under the old method. Often and often within these walls, and in the public Press, and in private society, I have been met with such remarks as these—"Why do you want to alter a system that has worked well? What do you find amiss with the class of men whom we are now getting? When have they failed in their duty? Are they not as industrious, as zealous, and as capable as the members of any service in the world?" Those were the sort of questions which we had to answer as long as patronage was the rule in the Civil Service, and as long as purchase was the rule in the Army; but now the tables are turned; now the burden of proof rests, not with us, but with our opponents. It is for them to show that the system of appointment which now prevails over nine-tenths of our services is faulty. It is for them to prove that the Indian civilians, the military officers, the departmental officials whom we get now are inferior to those whom we got 10 years ago. And if they fail in this; if, as I think, they repudiate the notion of entertaining so unwelcome and unfounded an idea; then they will be under the necessity of pointing out what the special conditions in the Diplomatic Service are that should exempt it from a system which, for high reasons of public policy, has been introduced into almost every other Department of the State. And, unless it can be shown, with a clearness which I believe it to be impossible to attain, that there is something special in the nature of the case which should forbid us to apply to diplomacy a system which is working excellently everywhere else, I shall confidently ask the House to assent to this Resolution.

Now, Sir, one main reason for moving in this matter is that the systems under which men enter into the Foreign Office and into the Diplomatic Service are now entirely different; and, until those systems are made uniform, it will be impossible to effect that amalgamation of the two services which the interests of the country imperatively demand. It is of the highest moment that our representatives abroad should possess that general grasp of our National policy as a whole which can only be acquired by familiarity with the daily working of the Foreign Office; and, on the other hand, it is most desirable that the officials who direct our foreign policy at home should have had practical acquaintance at some time or another in their lives with foreign courts, foreign capitals, and foreign countries. In the words of Mr. Morier, our most able Representative at Lisbon, who, at such a crisis as this, I can only wish was employed at one of those courts where the fortunes of Europe are now at stake—

> "It is most important that the Diplomatic Service should be to a certain extent nationalised, and that the Foreign Office should be to a certain extent internationalised."

Now, for the Foreign Office, the entrance examination is by what is usually called "limited competition." A certain number of candidates are nominated by the Secretary of State for every vacancy, and a competitive examination is held among those candidates. The number of nominations for each vacancy in old days was limited to three. Lord Granville raised it to seven; and Lord Derby, who knows the value of the competitive system as well as any

Member of the Ministry, except perhaps the Chancellor of the Exchequer, raised it to 10. But, meanwhile, the system of appointment to the Diplomatic Service remains one of pure favouritism, tempered by a pass examination. Now, before I proceed to describe that examination, I would beg to remind hon. Members that diplomacy is a profession which calls for certain special acquirement. A really able man, who has had an ordinary general training, may make an excellent official in our Departments at home. But to fulfil the duties of an Ambassador, a Chargé d'Affaires, or a Secretary of Legation, a man must possess certain definite accomplishments. My hon. Friend the Member for the Elgin Burghs has told the House before, and, I hope, will tell us again to-day, that no man can be considered a skilled diplomatist without a complete and well-digested knowledge of International Law, as studied and practised in the Continental Chancelleries. In addition to this, as the very minimum of linguistic proficiency, he should be able to read, to comprehend, and to write the French language as rapidly, and almost as accurately, as his mother tongue. But, Sir, the test examination, as at present constituted, offers no security for the possession by the candidate of even these elementary acquirements. "Most certainly" says Mr. Morier—

> "The amount of knowledge required as regards foreign languages was a limited one, and persons passed the examination who were very far from being able to write French, as I consider that every diplomatic agent should be able to write French; and of that which is certainly the most important portion of a diplomatist's education, International Law, the whole knowledge that was required was a knowledge of the elements of Wheatstone, which could be got up in a fortnight or three weeks. That we have got a body of men who are in the least acquainted with International Law, I am sorry to say, I do not believe."

How comes it that we have a test examination which does not insure in our diplomatists an adequate knowledge of French and International Law, which is as necessary to them as the ability to think on his legs and to distinguish denominational and undenominational education is to a candidate for Parliament? Why, it comes from this—that the examination is not a competitive examination in which the standard of excellence is always rising, but a pass examination in which, by a natural and inevitable process, the standard of excellence tends to fall. This test examination has gradually so deteriorated, as our very diplomatists candidly acknowledge, that it has almost become equivalent to no test at all.

> "I think," says Mr. Morier, "that it is unsatisfactory, because I think it is a very small and poor kind of examination, and yet it is big enough to make a man who has passed it think that he has an absolute claim on the public service for ever,"

—an expression which, when put into unofficial language, means that the so-called qualifying examination for our Diplomatic Service is little better than a puerile, and, as far as the nation is concerned, a really disastrous farce. Now the principal objection to resorting to open competition which is ordinarily brought forward is, that there are certain personal qualities requisite in a diplomatist, and that a Secretary of State should have the power of selecting men whom he knows to possess those qualities, and should not be forced to take candidates, whether they happen to be adapted to the Profession or not, exactly in the order in which they come out of a competitive examination. There are various ways of obviating that objection, if objection it is. My hon. Friend the Member for the Elgin Burghs long ago proposed a scheme which attracted much favourable attention at the time. He proposed that a searching examination should be held in the branches of learning special to diplomacy; that the first 12 names should be submitted to the Secretary of State; and that from those names he should fill the vacancies. There is another scheme by which we may obtain the advantages of competition combined with the advantages of personal selection. Hon. Members are aware that, from time to time, the Civil Service Commissioners hold an examination known as Class 1—an examination which is expressly designed to attract men of high intellectual qualifications and good social standing, and the prizes in which are the best paid and most important careers in the public service. I would suggest that the list of successful candidates in this examination should be laid before the Secretary of State, and that he should pick out of it those young men who appear to him to be peculiarly well-qualified for the Diplomatic Profession, and hon. Members need not be afraid that on such a list there will be any lack of men well-fitted for diplomacy. On that point we are not treading in the dark. When first the competition system was introduced into India, it was said that the new Civil Servants would no doubt be very excellent and industrious young men, very well-fitted for the hard routine work of the judicial line of the Service, but that they would be wanting in those more delicate qualities which were essential for success in the Foreign, or as it was called then, the Political Department. We were told—I am almost ashamed to repeat such talk over a period of 20 years—that the Natives of India had a quick eye for a gentleman, and would not pay respect or deference to an official who had gained his position, not by belonging to an old Anglo-Indian family, but by his proficiency in writing Latin hexameters and solving the differential calculus. Such a man, it was said, might make a very good district or Sudder Judge; but if competition wallahs were made residents at Native Courts, our hold on India would not be worth 10 years' purchase. How have those precious predictions been verified? If there is one Department more than another of the Indian Service in which the young men appointed under the new system have obtained brilliant success, it is in the Foreign Department. There is no more important diplomatic post in India than the position of Resident at the Court of Nepaul. It is no light matter to conduct our relations with the most formidable of our Oriental Allies; that nation of warriors who have over and over again proved their fighting qualities at our expense and for our benefit, and who are ruled over by that redoubtable soldier-Minister, who may without exaggeration be described as the Bismarck of the North of India. When our Government wished to lay its hand upon a diplomatist whom they could trust to hold his own with Jung Bahadoor, they selected a gentleman who had entered the Service by open competition. There are hon. Members present who will remember my valued Friend Mr. Wyllie, who, if he had lived, would no doubt have been an ornament to the House. Mr. Wyllie went out to Bombay among the first batch of competitioners, and within 10 years of his entrance into the Service he had for some time the management of the Foreign Department of our Indian Empire, and he so conducted the high duties committed to his charge, that when he died, he left as well-established a reputation for administrative ability as any man of recent years has acquired at the early age of 35. But he left those behind him who were worthy to succeed him, and the post of Foreign Secretary to the Government of India—a post as highly paid and involving duties almost as critical as those of the Foreign Secretary in our own Cabinet — is occupied at this very moment by a gentleman who only 20 years ago entered the Service by the gate of free competition—that gate which we are told we must not open for fear of having our European Diplomatic Service inundated with men unfit to perform functions exactly similar in kind to those which are performed to admiration by the competition civilians of India. But over and above the graver duties of the diplomatist reference will be made in this discussion to the social qualities which his Profession demands. We shall be told that he has other things to do besides sitting at a desk and penning able and exhaustive Reports; that he should have the manners and tastes of society; that he should be not only a man of the study but a man of the world, with the tact which will enable him to arrive at the secrets of others and the discretion to conceal his own. Those who have been fortunate enough, in India or elsewhere, to reside at a station where a detachment of the Royal Artillery is quartered have long been aware that there are no truer gentlemen and no better companions, in the highest sense of the word, than the members of a Service, appointment to which is the result of open competition. But, in spite of the experience which has long been afforded by our scientific corps, fears are frequently expressed in this House that the substitution of open competition for purchase will lower the social standard of the Guards and the Line. How have those fears been justified? Major General Sir Alfred Horsford, the Military Secretary of the Commander-in-Chief, tells us that he expected to find a difference between the officers of the past and the officers of the present, but that he found none whatever. Lieutenant General Sir Lintorn Simmons, the Governor of the Military Academy at Woolwich, speaks quite as strongly on this point.

> "We get," he says, "men who are quite equal in social position to those whom we got before, and who are certainly quite as well, if not better, educated than those that we used to get in former days."

And in another place he makes the interesting remark that "those who are higher intellectually are generally so in other respects physically." Among the objectors to open competition there is one class, I frankly own, who try my patience—those who, in defiance of the experience of the Bar, the Army, and of public life, in defiance of their recollections of their own school and College days, maintain that there is a certain incompatibility between bodily and mental vigour, and that young fellows who are quick in the class are slow in the playground. If that is the case in other countries it is not so among us. England is what she is, because in Englishmen intellectual and physical energy are admirably combined. We libel our countrymen if we divide them off-hand into bookworms and athletes. Mr. Bernard, himself an Indian Civil servant of the old system, speaks very strongly on this point. He says—

> "Every batch of competition men contains a fair proportion of capital cricketers and riders. When we last played 'The Civil Service against the World,' on the Calcutta cricket-ground, only four of us were Haileybury men. One competition-wallah carried out his bat for 130, while another scored over 90 runs."

Anyone who knows the playing field —I appeal on this point to the youngest Member of the House (Mr. Sidney Herbert)—is aware that there is no form of athletic exercise which is a severer test of the more manly qualities than the game of football; and in this game, for many years together, the Royal Engineers have been pre-eminent. And who are the Royal Engineers? They are a body of young men, who have been selected by a series of competitive examinations out of a larger body of young men, who have themselves been previously selected by a competition open to the world at large. There are other qualities even more important to the diplomatist than the lighter social aptitudes. It is no small matter that young men who have to uphold the credit of our country among foreign people in great capitals, exposed to serious temptations, and cut off from the protecting influences of home life, shall be men of high character and tried morality. A system of competition is at least as good a test of moral character as a system of patronage. And it is equally certain that a man who has his mind full of worthy interests, and his time occupied by worthy pursuits will have less leisure and less inclination than another for dissipation and frivolity. To quote the Report of the Indian Civil Service Commission of 1854—words in which hon. Members will recognize the hand of a master of the English language—

> "Early superiority in science and literature generally indicates the existence of some qualities which are securities against vice—industry, self-denial, a taste for pleasures not sensual, a laudable desire of honourable distinction, a still more laudable desire to obtain the approbation of friends and relations. We therefore believe that the intellectual test which is about to be established will be found in practice to be also the best moral test which can be devised."

The experience of 20 years has amply borne out that fair and well-founded prophecy with regard to the junior members of our Indian Service. If the House affirm my Resolution, I confidently venture on a similar prophecy with regard to the junior members of our Diplomatic Corps. If we want a proof that industry and ability displayed in early life afford at least a rough test that a man possesses the qualities which will make him a useful and successful public servant, we do not need to look beyond these walls. To reach the Cabinet requires the exertion of an amount of tact, of enterprize, of sustained vigour and energy which will carry its possessor to the top of any Profession in the world, and nothing is more remarkable than the large proportion of Cabinet Ministers who distinguished themselves at their schools and their Universities. There has been a Cabinet in which six out of seven University men who had seats in the Lower House were either first-class or double-first-class men. If we turn to the Department of Foreign Affairs there certainly is no reason to make an exception. The present Foreign Secretary is a first-class man from Cambridge, and his most vigorous critic a double-first-class man from Oxford. The most eminent Foreign Ministers of the present century were Mr. Canning and

Lord Palmerston. Mr. Canning was probably the most famous schoolboy that ever existed in any country. Lord Palmerston took his privilege as a nobleman, and did not wait for the degree examination; but during the two years that he was at Cambridge, he came out head of St. John's College at the annual examination, and every Cambridge man knows how much that means. The experience of political life, a career the most analogous of all to the Diplomatic Profession, proves that we may confidently extend to that Profession a system of which we have made such wide use in the public Services with such excellent results; and if, as I feel satisfied, such a course enables us to stock the foreign legations with men as able as the Indian Civil Servants, as resolute as our Army officers, and as trustworthy and discreet as our home officials, we may be very sure that we shall never have occasion to regret that we acceded to the present proposition. The hon. Member concluded by moving his Resolution.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the principle of open competition for first appointments, which prevails in the Army and in most of the Public Departments, should be extended to the Foreign Office and the Diplomatic Service," —(*Mr. Trevelyan*,)

—instead thereof.

MR. BOURKE said, that although it was his duty to ask the House to negative the Resolution of the hon. Gentleman, he was fortunate enough to be able to concur in much that had fallen from him in the course of his speech. He agreed with him in the admiration which he had expressed for the Leaders of that House, whether they sat behind him or on the Bench opposite, and in the opinion that the present was not an inopportune moment to bring forward his Motion, seeing how much good work, honestly performed by its valuable public servants, the Foreign Office had recently produced. He also concurred with the hon. Gentleman in thinking that the question was one which ought not to be decided on grounds of privilege, but solely upon the consideration whether the course he proposed was calculated to contribute to the efficiency of the public service. He, moreover, entirely went with him in the eulogium which he had passed on the Indian Civil Service, for he knew nothing more likely to induce a man to pay regard to public duty, or more likely to arouse the enthusiasm of those who took a high view of public duty, so much as the contemplation of the careers of those who had distinguished themselves in that great service, of the working of which he had been so fortunate as to have seen himself a good deal. He must, however, point out to the House that there was no analogy between the Diplomatic Service and the clerkships in the Foreign Office and the great Indian Service, for the reason that the Civil Service of India was in reality composed of an enormous body of men; but the point here was, whether there was or not sufficient reason to show that the special duties to be performed by the Diplomatic Service could be performed only by persons possessing special qualifications for that office. With regard to the Indian Service, the selection must be made from an enormous number of persons, and when they wanted to get a special duty performed of a diplomatic character in India it was not easy to find in the Civil Service of India, a man for that particular class of duty that could be sent to perform it. The whole of the question raised by the hon. Gentleman had been, he might add, considered a few years ago by a Committee upstairs. They stated in their Report—

> "That the admission of members into the Diplomatic Service by nomination on a test examination was a plan of which the Committee approved, and, without expressing any opinion at all as to the merits of the system of open competitive examination, they think the present plan preferable to it for this class of public servants."

That was the opinion arrived at by a very able Committee of that House after a very long inquiry. He wished, in the next place, to call attention to the fact that the Motion before the House resolved itself into two branches, one relating to the Diplomatic Service and the other to Foreign Office clerkships, and how, he would ask, were men admitted into the Diplomatic Service? They were a certain extent admitted by selection by the Secretary of State, but they were afterwards subjected to an examination which was well calculated, he thought, to test the elementary knowledge of persons at that time of life, and from what he had read and seen of the Civil Service he thought it was very desirable that persons who entered the Civil Service should be well grounded in that elementary knowledge. They were, in the first place, tried in orthography, handwriting, and *prècis* writing. They must satisfy the examiners that they were well grounded in the Latin grammar, and that they could parse a portion of some good Latin author. They must show an acquaintance with the first four rules of arithmetic, the first book of Euclid, and have a general knowledge of geography as well as of French grammar, and be able to converse fluently in the French language, and translate correctly from French into English and from English into French. They were also tested as to their general knowledge of the constitutional history of England, acquired from *Blackstone's Commentaries* and *Hallam's Constitutional History*, and must have a general knowledge of the political history of Europe and of the United States, as well as of political economy, while they must further give evidence of general intelligence. Now, he was not going to say that that was a very severe examination, but it was one which he contended was well qualified to give an adequate test of the intellectual capacity of those who wished to enter the public service. He would also remind the House that there was another rule under which a man might, after a time, subject himself to an examination in public law, and that, as a matter of fact, a great number of those who had entered the Diplomatic Service had undergone that examination, and many of them had passed it very creditably. But, after all, the great question was, what was it which the country wanted in the Diplomatic Service? He did not suppose any hon. Member would deny that England ought to be represented at the Courts of Europe by persons who were entitled to the designation of gentleman, although he was not, of course, so foolish as to contend that gentlemanlike conduct had much to do with either birth or wealth. He was at the same time of opinion that it would be generally admitted that those by whom the country was represented abroad ought to be persons of good manners and with cultivated minds. He also thought it would be granted that they ought to be fitted for the society of those among whom they were likely to live and move. A diplomatic servant ought, besides, to be a man with whom the Minister under whom he happened to be placed could be on terms of friendship and confidence, and one whom he could introduce to those with whom he mixed in foreign capitals. It was, above all, in his opinion, necessary that our diplomatists, especially the young among the number, should be received at the Courts at which they resided with every mark of cordiality and respect, and he did not think any Minister could ask a foreigner to receive a person into his society unless he was a man with whom he himself could live on similar terms. Such were the qualifications which seemed to him to be necessary for our young diplomatists, and nobody, he thought, could have read the Report of the Civil Service Commission without being prepared to admit that these qualifications could not be guaranteed by means of a competitive examination. There was another qualification for the Diplomatic Service which was also of great importance, and that was that unless the House was prepared to add £31,000 or £32,000 a-year to the Estimates, it was absolutely necessary that a young diplomatist should have a private income of £400 or £500 a-year; because the pay they received for many years would not allow them to live in any capital without that private income. The hon. Gentleman had informed the House how much a young diplomatist was paid. In reality for the first two years he got nothing, after that he received £150 a-year; and he might consider himself very fortunate if at the end of five or six years he received £400, and very much more fortunate still if at the end of 16 or 17 years he received £700 a-year. That was a state of things which it was absolutely necessary, he maintained, to take into consideration when it was proposed to apply the competitive system to diplomacy. Now, as certain authorities had been alluded to by the hon. Gentleman, he would, if the House would allow him, quote one or two on the subject of a change of system. The first authority to which he should refer was quoted by the hon. Member who had just sat down. Mr. Morier used these words with regard to the Diplomatic Service—

"I think that if anybody took the trouble of looking at the Red Book, and of inquiring about who the persons are, he would find that the Diplomatic Service was exceedingly fairly made up. You might call it a geological section of English society; you would find in it certain names of great families; you would find the names of families who have within recent years become connected with the House of Lords for public services; you would find the names of great mercantile houses; you would find old official names, I mean those of persons connected with the public service for a good many generations; you would find the names of eminent physicians; you would find the sons of solicitors and attorneys; you would find as complete a microcosm of English society as in any other profession whatever. I have not gone carefully through the list, but that is my own impression, certainly, and I think anyone could substantiate it by going through the list."

In answer to the question whether it would be wise to lower the position of our Representatives if other countries did not do the same, Mr. Morier said—

"Most decidedly it would not. There is no use denying that people are very much influenced by these external forms; and, as I said, social *status* and position are more necessary to an English agent than to any other, because they afford him the only means of acknowledging a great number of international courtesies which he is perpetually receiving, and of requiting the trouble of a great many persons, both official and non-official, to whose services the present system of reports forces him to have recourse."

Again, Mr. Otway, who was a Member of that House, said—

"I think that diplomacy is a profession requiring very peculiar qualities in its members, and that open competition would not enable you to arrive at the fact of the existence of those qualities in the individuals who might successfully compete at the examination."

Mr. Otway added that he was aware of no test in the way of competition by which a man's manners could be ascertained. Lord Clarendon was examined by the Committee, and gave very strong evidence in the same direction. His Lordship said—

"I think that the Diplomatic Service is a very peculiar one, and you must look to a little more than a man's mere knowledge of French or German; you must look to his complete respectability and to his fitness for forming a member of the Minister's family; that is what an Attaché ought, at all events, to be fit for. I do not see that there would be any more advantage in open competition than there is under the present system. There is not the least distinction now of classes or otherwise. Anybody that wishes his son to enter the diplomatic profession will not meet with any difficulties of that nature; but I think that if you had open competition you would be liable to lower the standard which you want in the Diplomatic Service."

Lord Clarendon had given a great deal of consideration to the matter, and he arrived at the conclusion that an alteration of the existing system would be injurious to the public service. Mr. Walrond, who was an advocate for open competition under certain circumstances, gave evidence of the same kind. Then there was another reason why this system should not be altered. If the Service were made a competitive one, it must necessarily be a close one, and although there was a general desire that persons in the Diplomatic Service should be promoted to higher posts, he did not think that anyone would deny that it was expedient that the door should not be absolutely closed against persons who were particularly fitted for certain posts on certain emergencies. He need only mention the name of one of the last persons who was appointed to a high diplomatic post and who had not previously been in the Service. Mr. Layard was appointed our Minister in Spain; he had been in that country for several years; and no one could say that any disadvantage had arisen from the appointment of that gentleman. With regard to the system which had been suggested by the hon. Member for the Border Burghs, he understood it to be very much the same as that proposed by the hon. Member for the Elgin Burghs. The great disadvantage of that system was that when 12 names were laid before the Secretary of State and one person was selected, the 11 others must be very dissatisfied. Their position was altogether different from that of persons who went up under the Foreign Office system, because when people had passed a public competitive examination without any selection, they did no doubt attain certain vested rights, and considered themselves to be in a position which other persons had not reached. This circumstance was pointed out in the Report of the Committee presided over by the right hon. Member opposite. With regard to the Foreign Office, the first question that presented itself was— What does the public want? The hon. Member who introduced this subject had very properly suggested that it was extremely desirable in the public interests that there should be an interchange of duties between the junior members of the Diplomatic Service and the clerks in the Foreign Office. In making that suggestion the hon. Member was carrying out the recommendation of the Committee appointed by that House in 1851. If, however, there was to be such an interchange it was necessary that clerks in the Foreign Office should possess the same qualifications as young diplomatists. How were Foreign Office clerks admitted now? They were admitted in the first place to examination, and the usual number sent out to compete for one place was from 6 to 10. The Secretary of State took a certain number of candidates and sent them up to compete for the place. With regard to this system, Mr. Scoones said—

> "The system of nomination has not been abandoned for Foreign Office clerkships, but inasmuch as it is usual to call upon eight or nine candidates—I have known instances of as many as 14 being called—whose names are entered on the Foreign Secretary's patronage list to compete for each vacancy, all chance of jobbery has been removed, while the Minister himself becomes virtually responsible for the clerk he has indirectly appointed to his Department; and I still think that for some few Departments of the public service the system of extensive nomination combined, with competition, is eminently desirable."

There was another reason why this system should not be altered. Persons who were anxious to enter the Foreign Office were now willing, in consideration of the position they held there, to go into it at a lower salary than they would receive in other offices. When a man entered the Foreign Office he received only £100 per annum, and on an average he was obliged to spend two years and a half before he got more than £120, and six or seven years before he got £250 a-year, and he must then be a very lucky man at the end of 20 years to get £700 a-year. If the system were made competitive it would certainly be necessary to raise the salaries. It was said, however, that the difficulty might be met by dividing the clerks at the Foreign Office into two classes, as was done in some other Offices, one for the intellectual work and another for the copying work. This system would not be suitable for the Foreign Office, where all the business was of the most confidential character. The deciphering of telegrams, and even the mechanical duty of copying despatches, were confidential. Now, it often happened in the Foreign Office that the whole strength of the Department was employed when there was a pressure of business, but at other times, when there was no pressure, the clerks could give their time to mechanical duties, such as copying and registering. Therefore, if there were two kinds of clerks, many of them would be idle during a great portion of their time. It must be remembered that the Diplomatic Service and the Foreign Office were the depositaries not only of our own secrets, but of the secrets of other nations, who would not communicate with us freely, while our relations with them might be endangered, unless the men were regarded as trustworthy. Upon the whole, he thought that those who were best acquainted with the present system would be of opinion that it worked very well. In the preparation of the recent Blue Books many of the Foreign Office clerks had worked for 15 or 16 hours a-day with the utmost cheerfulness and alacrity. There was an *esprit de corps* among them which was extremely advantageous to the public service, and he believed that the public would be great losers if a different class of persons were introduced. As one proof of the way in which the work was done, he might mention that, of 65,000 letters received and sent last year, he did not believe there was one arrear. In fact, in the Foreign Office arrears were unknown, for all letters were answered within a few hours of their receipt. One word about expenses. He had compared the system existing in some offices where copying clerks were introduced, and the result of the comparison was much in favour of the Foreign Office. In the Colonial Office 15 junior clerks cost £2,900; in the Foreign Office 15 junior clerks cost £2,300 a-year, showing a saving of £600 a-year in the item of junior clerks. Even if a saving could be shown, it might be dearly bought by reduced efficiency in a system which now worked well. The House had an opportunity of judging of the way in which the work was performed by observing at the end of the despatches lately printed the compliment paid by Lord Salisbury to the Foreign Office clerks who accompanied him on his mission to Constantinople, and who performed, not ordinary duties, but diplomatic duties requiring great ability, tact, and assiduity. He doubted whether there were many offices in other countries which could supply at a few days' notice men to perform duties of this kind without inconvenience to the public service. On all these grounds he hoped the House would not agree to the Motion. It was a proposal often before made in the House; and it had received the consideration of a Committee upstairs, and been rejected. The duties performed required diplomatic tact, linguistic accomplishments, social merit, and trustworthy qualities. Was it wise to disturb a system which had received the approbation of the high authorities he had quoted, of the Civil Service Commissioners, of the most distinguished of the gentlemen who prepared candidates for the Civil Service, and last, not least, the warmest approval of every Secretary of State who had been at the Foreign Office for the last 15 years.

MR. GRANT DUFF said, he did not think that the arguments of his hon. Friend the Member for the Border Burghs had been fully answered by the hon. Gentleman opposite. It was not enough to say, or even to prove, that the Diplomatic Service as it now stood was good. What should be proved, if his hon. Friend was to be successfully answered, was that it was not probable it would be made better by following the course now recommended. In so small a service we could not afford to have any inefficient or half-efficient members. It should be treated as a *corps d'élite*, in which, while the greatest subordination prevailed, there should be, in the estimation of the world without, nothing but officers. It was desirable that every Embassy and every Mission should be a centre of the best possible English influence, and that every member of an Embassy or Mission should in consequence be as good a specimen of a man of his time of life as England could produce. Of course there were obvious difficulties in the way of throwing the Diplomatic Service open as the Indian Civil Service was thrown open, though such difficulties appeared stronger to others than they did to him; but if the Diplomatic were as open as the Indian Service the hon. Gentleman (Mr. Bourke) might take comfort in the fact that a property qualification was necessary, as no young man in his senses would think of entering the Diplomatic Service unless he had an independent income of £400 or £500. His hon. Friend (Mr. Trevelyan) had said he would be satisfied with a proposal which he (Mr. Grant Duff) made to the Committee in 1861, and which was of a sufficiently guarded character. The proposal was that once a-year there should be held an examination at which any number of persons might present themselves, that out of these 12, or any smaller number, should be selected, and that their names should be certified to the Secretary of State, who would appoint, on his own responsibility, those whom he pleased. He was not, however, wedded to that plan; and he thought those who sat near him would be satisfied for the present if the Government were to assimilate the plan for entering the Diplomatic Service to that for the Foreign Office. The plan which he had proposed in 1861 would leave great power and great responsibility in the hands in which they should be left, those, namely, of the Foreign Secretary. It might be said that there would not be sufficient inducement for young men to go in for the examination if success in it were merely to put them in the position of being eligible for the Diplomatic Service. But if the examination were judiciously arranged so as to test not the mere ordinary acquirements of our schools and colleges, but all those acquirements which a wise head of an Embassy would wish to be possessed by his subordinates; if, further, care were taken to associate with the Civil Service Commissioners for the purposes of this examination statesmen and diplomatists of high rank, the mere fact of being successful in it would be a very considerable help in life to many young men. In this wealthy country nothing could be more convenient to parents who did not require to send their eldest sons into professions, and who were at the same time unwilling that they should be idlers, than to have an examination like this. Then a father might say to his son—"You cannot do better than go in for this examination. If you succeed you may have a chance of entering the Diplomatic career, one of the best careers a young man of spirit and ability can enter; and even if you are not selected you will pass into the world having had your mind turned to subjects of the greatest importance, and stamped by the State as a man of vigour and ability." It was not possible to exercise too much care in the filling up of the Diplomatic Service. There were some who said that the days of diplomacy were at an end, but he entertained a very different opinion. He believed the really great days of that great profession, whose business was to bring to every nation that which was best in every other, and whose noble mission was to preach "peace and good will to men," were only beginning.

EARL PERCY said, that if there was one point more than another on which he differed from the hon. Gentleman who had introduced this subject, it was that contained in the concluding passage of his speech. The hon. Member said that the men who ruled in this country, and who occupied high positions in the Legislature, were men who would have been successful in competitive examinations of the kind to which his speech referred. This, however, was a mere assertion, and a very slight inquiry as to facts would show that the contrary was the case, and that many men who had taken prominent positions in Parliamentary life and in the government of the country would not have succeeded in competitive examinations on subjects such as were now made the basis of examination for candidates wishful to enter the service of the country. The hon. Member also referred to persons who, he said, divided the so-called educated classes among their fellow-countrymen into two sections, the one consisting of the athletes and the other of bookworms. For his part, he had never heard of anyone who thus divided their countrymen, but he had heard it stated that the system of cram as distinguished from learning was not a system calculated to secure the possession of that bodily vigour and those mental acquirements which were necessary to render a man efficient in the service of his country. He believed the system of open competition was one that crammed the mind with a certain number of facts which were retained for a brief period and then probably forgotten, and that it did often sacrifice the physical powers without leading to the mental development so much desired. It was all very well to insist upon a high qualifying examination for appointments in the public service; but he thought some attention should be paid to the effect upon the community at large of the education which was held to be necessary in order to secure appointments, and upon those candidates who had not the good fortune to succeed. It was not an education likely to fit men for useful work in any direction other than that for which they had been cramming, and in cases of failure was calculated to create an increasing class of discontented men who had spent much time and money in acquiring a vast amount of learning, which had, by reason of their failure, been rendered practically valueless. He was no advocate of the old system of patronage; its days were gone, and it was as idle to talk of reviving that system as it was to talk of bringing back the system of purchase in the Army. But while they could not think of reverting to patronage, the question ought to be considered whether they had substituted a better system. What they were doing was this—they were training, daily and hourly, an enormous number of energetic men who, if they succeeded in acquiring a mass of knowledge which often was not that which qualified them best for the post they sought to occupy, would have presented to them a means of livelihood barely sufficient to enable them to retain their position. Their sole object would, therefore, be to try to supplement the income they received by incomes from other sources. The tendency of that state of things would be, in his opinion, to create a large discontented class of educated men, who, he feared, might constitute a dangerous element in any community.

SIR GEORGE BOWYER rejoiced that the Government showed no disposition to extend the system of competitive examination. He thought, however, that the time had come at which it was important to revise the whole system of examination for entry into the public service, so as to secure such examinations as were best calculated to test the fitness of candidates to perform the duties of the posts to which they aspired. For instance, he saw no reason why a candidate for the position of under housemaid in a Government office should be compelled to pass a competitive examination in literary subjects, or why a young man wishing to obtain a commission in a Cavalry regiment should be expected to possess a critical knowledge of Chaucer's poems. What was the use in examining a man who was a candidate for a commission in the Army in the works of Scott, Dickens, and Tupper? Some men had a peculiar talent for examination. A man might be very learned in the subject of examination, and yet appear to be inferior to one who had only a smattering of knowledge of it. Lord Chesterfield mentioned in his "Letters" that a debate was held in the House of Lords on a subject connected with astronomy. Lord Burlington, who was a very learned astronomer, spoke, and his speech made a great impression, until Lord Chesterfield, who knew nothing of the subject, but had got up a few points, addressed the House, and his speech created such a sensation that nobody spoke of anything else. The subjects to be examined in ought to relate to the particular duties required to be performed, and he hoped the whole subject would be thoroughly re-considered before the system was extended.

MR. LYON PLAYFAIR observed, that the question was now brought within very narrow limits. The noble Lord the Member for North Northumberland admitted that it was now impossible that patronage could be restored, and that competition must rule admission to the public service. In that opinion he quite concurred. The public service ought, he maintained, to be the inheritance of the whole nation. Gradually, as had been stated, the Foreign Office was extending the system of open competition with respect to the appointment of clerks; but the question was whether the mode of appointment in that office might not be still further assimilated, as well as in the Diplomatic Service, to the practice prevailing in the other offices. His hon. Friend the Member for the Border Burghs recommended that there should be selection after competition, instead of before, and that was precisely what the Report of the Civil Service Enquiry Commission recommended for the whole Civil Service, although the suggestion did not meet the approval of the right hon. Gentleman the Member for the University of London (Mr. Lowe). The right hon. Gentleman the Chancellor of the Exchequer had, however, given effect well and bravely to many, but not yet to all, of the recommendations of the Commissioners. They recommended the combination of the principle of selection with that of open competition—the opening of all the offices of the public service to competition, with a statement against the names of the successful competitors of their more special and higher qualifications, with a view to their selection for the discharge of particular duties. The hon. Gentleman the Under Secretary for Foreign Affairs read out a list of the subjects of examination for entry into the Diplomatic Service, and one of these was general intelligence, and he added that it was important to consider the manners of the men to be appointed. But surely the objection urged by the hon. Gentleman was not very important, since, in his (Mr. Playfair's) opinion, it was much easier to ascertain whether a young man was possessed of well-bred manners than to ascertain whether he was possessed of general intelligence. He was glad to observe from the list read by the hon. Gentleman that more regard was had than was heretofore the case to modern languages—a fact which he thought could not fail to give a wholesome stimulus to education. The Foreign Office was in the matter of widening the area of competition making satisfactory progress, and if the hon. Gentleman had been in a position to state that the same principles would be applied to the Diplomatic Service, his hon. Friend would not, he thought, ask the House to express its opinion by dividing. What they desired was that all the offices of the public service should be thrown open, so that they might become the inheritance of all, and not of a few. The Under Secretary had stated that open competition would prevent such a man as Mr. Layard being secured for the public service, but he must remind him that the Civil Service regulations abroad provided that, whenever outside the public service a man showed a particular aptitude for any particular branch of it, he could be introduced into it. The Act of Parliament itself provided for that, and therefore there need be no apprehension that by extending the system of competition to the Diplomatic Service they would shut out of it such men as Mr. Layard.

THE CHANCELLOR OF THE EXCHEQUER said, he had been an advocate from a very early date of the principle of open competition. He had never seen reason to doubt that the grounds on which the father of his hon. Friend opposite and himself (the Chancellor of the Exchequer) had advocated that system were sound and firm grounds. At the same time, having for many years followed the working of the system, he felt it was a subject with which it was necessary to deal with care and caution, and in a manner which should be more or less tentative. They had seen a very great advance made in this matter. Many prejudices which had been entertained against the competitive system had been dispelled by its working and the light of experience; and although he did not say that all had been entirely removed, yet he believed that the feeling of the country had very much advanced, and that a great deal more was known upon the subject than was the case 15 or 16 years ago. He was bound to admit that to a very great extent the system advocated by his hon. Friend had worked well. At the same time, there could be no doubt that some inconvenience had been experienced in the carrying of it out, and in proof of that he need not go further than to refer to a Report of the Commission of which his right hon. Friend who had just spoken, and who had rendered such valuable service on the Commission the year before last, was Chairman. In that Report the Commission pointed out some of the drawbacks and disadvantages which attended a system of pure open competition for all classes of the service. The Commissioners recommended various changes in the organization of the service. Some of those changes, though simple in their character, were not of small magnitude. The Government had adopted some of the recommendations with regard to the second division of the Civil Service; but in reference to the upper division of the Service, they felt some difficulty in adopting the scheme precisely as proposed by his right hon. Friend. It was found exceedingly difficult to lay down a general rule once for all which would be applicable to all the divisions of the public service. It was easy to lay down a rule applicable to the great mass of the Civil Service represented by the Lower Divisions; but it was much more difficult to lay down a single rule for appointing Civil Servants to every kind of office in which the circumstances and the conditions might be entirely different. No general rule could be laid down for the whole of the Service, and if any of the public offices offered peculiar difficulties in the way of an unbending rule it was the Foreign Office. He would set aside some of the arguments used, such as, for example, that competitive examinations were not to be trusted to produce the kind of men who were wanted for these higher offices. He believed that, as a general rule, if the examinations were conducted properly and under due safeguards, they were quite as likely to get a good class of men in that way as in any other. There were, however, peculiar difficulties in the way of getting the class of men whom they wanted for the Diplomatic Service. With respect to the clerkships in the Foreign Office, everyone was disposed to agree that they now stood in this matter of open competition in a very fair position. There was no man in the present Government, nor indeed in the public service, who was more ready to acknowledge the abstract merits of the system of open competition than his noble Friend Lord Derby. He had contended for that system under greater discouragements than existed at present, and he had done a great deal to develop it. Successive Governments in laying down a system of limited competition for Foreign Office clerkships, the successful candidates in which were selected, not from motives of favouritism, but with a sincere desire to get the men who were most suitable, had done well on the whole in the present state of things. But, then, it was asked why that which was good for the Foreign Office clerkships should not also be good for the Diplomatic Service, and the House was asked to begin with the unpaid *Attachés*. Now, he saw considerable special difficulties, one of which had been glanced at by the noble Earl (Earl Percy), and also by his hon. Friend the Under Secretary — namely, that they had to deal with young men who, during the earlier period of their service, were expected to maintain a good position and live a life of no little expense upon salaries inadequate to support it, and who were consequently expected to have some means of their own. But if this class of appointments were thrown open to competition, he doubted whether the proper class of men would be induced to come forward. They were not the class who would offer themselves in a competition in which they would be likely to be thrown aside, and they would probably withdraw and devote themselves to other walks of life. In that case there would be a difficulty, which indeed beset the whole of the upper part of the Civil Service. If they determined to select the men by open competition, who were to carry on the upper part of the Civil Service, and if they made that competition severe, it would require considerable time for preparation, and a great number of the men they would like to attract, finding themselves uncertain of success and not being able to afford to wait, would throw up their chance and enter other professions. They had not yet had sufficient experience of the new system, which was inaugurated by the other side of the House in 1870, and in which the right hon. Gentleman (Mr. Lowe) took an active part. For some time after the new system was introduced very few vacancies occurred in the higher departments of the Civil Service, because the offices in that class were being reduced, and it was only now that they were beginning to call for candidates for the highest class of clerkships. At the present moment there was going to be a competition in the Colonial Office for clerkships of the highest class, and it would be expedient, before they proceeded to deal with so delicate a matter, to see what the effect of that competition would be and what class of men it produced. This was a subject, he would not say of urgent, but still of great importance. They were all agreed on the principle that the best men ought to be obtained, and that the Civil Service ought not to be regarded as a mere field for patronage. The best means of providing these men was, however, a matter of great delicacy. His hon. Friend might take comfort from the assurance that the present Government were not insensible to the desirableness of doing all in their power to obtain the best class of men for the public service. It was, however, inexpedient to tie them by any Resolution of this kind. He believed that, on the whole, the Government had done a great deal to improve the upper part of the public service. It was in a good and healthy condition, and to show their desire to improve the service he would remind the House that one of their first acts was to appoint a Commission. He hoped that his hon. Friend would be satisfied with the discussion he had raised; but if he pressed the matter to a division he should find it necessary to vote against him, not because he had any doubt of the general soundness of the principle of competition, but because the Government were not in a position to push it as far at the present moment as his hon. Friend desired.

MR. LOWE begged to remind the right hon. Gentleman that it was Lord Granville, and not Lord Derby, who inaugurated the system of open competition at the Foreign Office. He begged, moreover, to remark that the present Government had given rather an uncomfortable instance of their views on this subject by abolishing competition for the Royal Navy. He wished to say a word on the question raised by his right hon. Friend (Mr. Playfair), which was whether selection should precede or follow competition. His right hon. Friend was of opinion that selection should follow competition, that a number of persons should be invited to compete for a vacancy, that the best men should be selected, but that it should be carefully concealed which were the best men, and that then the heads of Departments should choose from the men who had succeeded. So that it might happen that those who had most distinguished themselves in the competition would never get any place at all in the Civil Service. Nothing would more deter the class of men they wished to attract than that their success should be concealed, and that they should see men who had failed to distinguish themselves in the examination selected by the officers of the Department in preference to themselves, so that it might well happen that the ablest men got no appointment after all. He trusted that there was no danger of so fatal an error being adopted by the Government. With regard to the vote he should give, if the Resolution were pressed to a division, he had no objection to see the clerkships of the Foreign Office placed on the same footing as the rest, and he very much regretted that the Chancellor of the Exchequer did not see his way to make any change in the direction indicated by the Resolution. He said he doubted whether young men of means would enter upon an open competition for the Diplomatic Service; but why a young man worth £400 or £500 a-year should not have the laudable ambition of entering a Service in which he might better himself, and even make his £400 or £500 ten times that amount, he could not understand. He could not imagine anything more pernicious or more deadening to all noble ambition than to assume that these young men would not desire to obtain a position in which they could so greatly distinguish themselves. He believed that the present was an expensive plan of obtaining candidates for the Diplomatic Service, and that the public lost more than they gained by it. Such a system, if adopted in the Civil Service, would be most ruinous, and he believed that it was not a good thing for the Diplomatic Service to go begging for young men to enter it, instead of paying them properly. The real objection to the proposal was that a number of men might get appointments in virtue of their superior qualifications, and might be totally unable to defray the expenses inevitable in the position they would hold. That appeared to him to be a conclusive objection to the adoption of unlimited competition. What could be done with men who obtained such appointments and were unable to fulfil the conditions on which they were given? Therefore, although he should regret to do anything which would have the semblance of opposing the principle of competition, he should be most reluctantly compelled to abstain from voting for the Amendment, and he hoped it would be considered that the reasons which would induce him to take such a course must be very strong indeed. Why could not the proposal be accepted that the Secretary of State should select, out of the persons willing to enter the Diplomatic Service, those as to whom he could easily ascertain that they possessed the necessary pecuniary qualifications to enable them to discharge the duties of these positions. When he had done that there might be competition to determine who were the best men among those selected. Nothing could surely be more reasonable than that. A competition should not be followed by the Secretary of State selecting whoever he liked. No man who respected himself would ever enter into a competition, if he knew that, though he might prove himself superior to others, he was still liable to be set aside. That would be the way to eliminate from the Service the very men whom it was most desirable to secure. What he (Mr. Lowe) suggested was done by the Foreign Office in the case of the Foreign Office clerkships; those who had the greatest ability being chosen by competition from those who had pecuniary and other qualifications. A good deal had been said with reference to the qualifications for these offices. It had been said the men ought to have good manners, and that they ought to have money, that they ought to be well-connected, and so on; but he heard nothing about their having any brains, and that, after all, was a matter of some importance. He sincerely hoped the right hon. Gentleman the Chancellor of the Exchequer, to whom they were indebted for having done so much for this great question of competition would re-consider the question, and that he would either find some better argument in support of his position than the one he had just adduced, or see his way to doing an enormous benefit to the public service of this country, by placing the competition for Diplomatic Service on similar lines to those which had been laid down in connection with the Foreign Office clerkships.

Sir H. DRUMMOND WOLFF said, he desired to point out that there were many persons whom, from their education, it would be most desirable to introduce into the Diplomatic Service, but who might not be able to hold their own against University men and others in public competition. Take, for example, the son of some Ambassador who might have resided with his father at every Court in Europe, and knew the whole history and traditions of diplomacy. Nevertheless he might not, perhaps, be able to succeed in a contest upon certain subjects to which special attention had been devoted by others, though able to pass a test examination. With regard to the Foreign Office itself, it was most desirable that the Secretary of State should be responsible for the appointments of those who were to serve in it. The Foreign Office was not like the Treasury, Colonial, or any other office of which the confidential work was an exception. Nearly all the work in it was of the most confidential character. An important despatch, for instance, might at that very moment have arrived on the Eastern Question. A copy of the document would have to be made without delay for every Ambassador; and nearly every clerk in the Foreign Office, however junior, would have more or less to do with the copying of it. From this it would be seen that every young man in the office must have the fullest confidence reposed in him from the very first; and any breach of that confidence must manifestly be very damaging to the public service. So far as he knew, however, no such breach had ever occurred. But it was clearly essential that every young man entering the Foreign Office should be known to the Secretary of State, who should be responsible for his fitness. He opposed the Motion, the adoption of which must be detrimental to the public interest.

CAPTAIN NOLAN said, that the Resolution of the hon. Member for the Border Burghs only affirmed the principle of open competition, but did not refer to any particular mode in which that principle might be applied. The introduction of the principle into the Artillery had not produced the anomalies that had been anticipated; at the same time precaution should be taken that the persons appointed should have sufficient means to support their position. It was generally found that the men who passed the highest examinations were the best men in all other respects.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 159; Noes 112: Majority 47.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—SCOTCH BUSINESS.

OBSERVATIONS.

SIR GEORGE CAMPBELL rose, according to Notice,

> "To call attention to the extreme neglect of Scotch Business in the Session of 1876; to suggest the necessity of relieving the pressure which is now felt in this House, and improving the arrangements for the conduct of business."

The hon. Member said, that with regard to the Session of 1876, it was notorious that in that year Scotch business was neglected in that House in a manner which might almost be termed gross. Although many Bills relating to Scotland were brought forward, the Government failed to give Scotch Members a fair opportunity of discussing them, and the House a fair opportunity of dealing with them—they had, in fact, about the half of one morning sitting—that being the only time which was really devoted to the discussion of Scotch Business. The feeling in Scotland in reference to this matter was very strong indeed—so strong that when Scotch Members went down to their constituents they found that the two great subjects of interest were the Eastern Question and the neglect of Scotch Business in that House. There was also another grievance—namely, that all the time which was usually given to Scotch Business was in the small hours of the morning. He feared many of his Colleagues had become so accustomed to that ill-usage that they did not fully appreciate it, or feel how ill-used they were; but he (Sir George Campbell), coming into that House as a new Member, had felt the grievance extremely. The Scotch Members were bound to sit up all hours of the night in order to watch Scotch Bills that did not come on. This he said was a real grievance, which ought to be redressed. He was himself a man who had done a great deal of work in his day, and was willing to do a great deal still; but his health would not permit that he should be kept sitting up night after night until all the hours of the morning waiting in vain for Bills in which he was interested to come on. If justice were not done to the Scotch Members in this respect, they were bound to take every constitutional means in their power to obtain it—they might follow the example of Gentlemen sitting on this side who came from the other side of the Channel. He had supposed this grievance was last year so notorious and so acknowledged that this Session they would have been treated a little better; but, in fact, the bad practice of former years had been repeated. For instance, the one Scotch measure before the House, the Scotch Prisons Bill, had been twice put on the Paper when there was not the least chance of its coming on before midnight; and it was only by the interposition of an Irish Member that prevented its being called on after midnight. To add insult to injury, not only was the English Bill twice put before the Scotch Bill, but an Irish Bill too. He said, then, that not only were they very ill-used last year, but that so far as the indications of the present year went, there was every probability they would still be ill-used in this matter, and that Scotch Bills would be only brought in after midnight, a proceeding of which they had a just right to complain, and which they certainly would resist. They must treat Her Majesty's Government as they should treat the Turks—if they did not yield to moral coercion, they must try such physical coercion as the Forms of the House would enable them to apply. So much for the strong and pressing grievance of which Scotch Members had reason to complain, both as regarded the constituencies they represented and the treatment that they personally received. But he believed that there were deeper evils. He believed, in fact, the Business of the House was such that some of it must go to the wall, and the Scotch Business only went to the wall in preference because Scotch Members were more submissive and less obstructive and troublesome than others. To do justice to all, radical measures of reform were required. He would touch but briefly on those subjects, because there were other hon. Members who knew more of those things than he did who would follow him. As regarded the Scotch Business in particular, there was one remedy for the evil which he believed was approved by many Scotch Members, and by many persons out of the House, and that was that, distinct from the Lord Advocate, there should be a lay Minister of State, who should be charged with Scotch Business. There was a great deal in that suggestion. He was not himself prepared to offer a very decided opinion upon it; but he believed it would operate as a palliative of the evil. He believed that if a lay Minister were charged with the Scotch Business, a very considerable amount of good might be derived therefrom, and that something might be done towards putting the Scotch in their proper position. At the same time, he felt that such a Minister might have to encounter many of the difficulties which prevented the Lord Advocate from doing that justice which he would desire to do. The Lord Advocate was a distinguished official in his own country, and here was a benevolent despot towards Scotch Members. He did the best he could for them; but he was not in a position to put sufficient pressure upon the Home Secretary or upon Ministers to obtain justice for Scotland. Moreover, good as Lord Advocates generally had been, and willing as they had generally been to do justice to Scotland, he was inclined to think that Lawyer Government was not altogether good for any country. It was not good for any country to be placed permanently under lawyer rule, and that would be the case with regard to Scotland as long as the Lord Advocate had the conduct of Scotch Business. There was this objection—that, however willing the Lord Advocate might be to do justice to the country, however willing he might be to bring forward measures which he thought would be beneficial to the country, he was always more or less hampered in his efforts by influences at work out-of-doors. He was much afraid that too many Scotch measures were treated not solely in view of the benefit they would confer upon Scotland, but also from the view whether they would be acceptable to the lawyers of Scotland, and whether the effect would be to bring business or take away business from Edinburgh. That was a state of things very much to be avoided. He was not sure that the appointment of a lay Minister of the Government to take charge of the Scotch Business would necessarily get rid of that difficulty. He was inclined to think that in regard to Irish affairs also a good deal too much attention was paid to the wishes of the Irish lawyers. At the same time, it was very desirable that a fair trial should be made of the suggestion to entrust Scotch affairs to a lay Member of the Government. As he had said, such an arrangement might operate as a palliative; but he believed that the business of the House, which was every day becoming larger, was really too much for the House to get through; and that was the real evil with which they had to contend. He believed that very radical measures were necessary in order to meet and obviate a very great and growing difficulty. In the shape in which he had first put his Motion on the Paper, it was supposed that there was something of a Home Rule flavour about it. He feared any suggestion of the kind would give rise to dissensions; but his own personal opinion was, that great and free countries were not likely to be permanently successful in any other way than with some sort of federation. He would not, however, dwell upon the subject—especially for this reason, that though he thought they were eminently fit for Home Rule in Scotland, yet most people in Scotland did not want it, while, on the other hand, although Ireland might want it, it might be a question whether the people were fit for for it. He did not believe that Home Rule was immediately practicable in Ireland or in Scotland; but he thought much might be done in the way of local government which would be acceptable to Liberals and Conservatives alike. For this reason he viewed with the greatest alarm the course which the Government had lately taken in showing a disposition to centralize and to minimize local government as much as possible. So much had been said in the course of other debates about this subject that he need not now dwell upon it, but this he would say—that just as the Prisons Bill had been a centralizing measure, so they were induced last year to suppose that the Poor Law Bill would be a centralizing measure with regard to Scotland. He hoped that course would not be persevered in by the Government. He trusted that, instead of centralizing, they would consider it to be their duty to localize; and in that way Parliament might be relieved of a good deal of Business in that House. There was another way in which considerable relief might be obtained—he meant in regard to private local Business. He was quite sure that the expense and time which the passing of local Bills through Parliament involved was being more and more felt in all parts of the Kingdom. They felt that more especially in Scotland, because they were further off. There was now a great disposition to obtain measures which would enable local authorities to apply themselves to improving the water supply, and doing other things which were very much needed, and many places in Scotland had been deterred from the course of local improvement by the expense and difficulty of passing Private Bills through Parliament. It was a matter on which he was somewhat sensitive, for the borough he had the honour to represent (Kirkcaldy) had recently had to pay a bill of upwards of £1,600 for passing an unopposed Bill through Parliament. It would be a very great boon if some means could be devised by which some tribunal on the spot could deal with these legal local and private matters. There was another view which he desired especially to press on the Lord Advocate. As he had said, it was most desirable that a great many affairs should be disposed of locally. But there was another class of affairs in which it was desirable to aim rather at uniformity than localization. He would ask why was it that on such subjects there should be separate Bills for Scotland and Ireland, instead of having one measure for the Three Kingdoms? Take the Prisons Bill. There it was quite possible to amalgamate the three Bills into one, and allow the Scotch Members to discuss that measure at the same hours at which English Members now discussed the English Bill. In that opinion he was supported by men of the utmost authority. Looking further ahead, he fully believed that great good might be effected by codification. Nothing would go so far to unite the Three Kingdoms as one system of codes which should apply to all. The suggestion he wished to make was, that if they wished to get rid of those provincial difficulties, and make their system uniform, they must place their system of codification upon a broad basis, making it not a mere digest of the law of England, but a general system in which the best parts of the law of Scotland should have a place. He believed that if that were done a great deal of the time of Parliament might be saved, much friction avoided, and a very great good achieved for the country. Another suggestion had been made for expediting Business — namely, that there should be some kind of division of the House for the purpose of considering Scotch Business, and perhaps other Business. In former days there was the system known as "the tea-room system"—that was, the Scotch Members discussed Scotch Business with the Lord Advocate in the tea-room, and, as far as he could gather, there was a good deal to be said for and against that system. He did not venture to put forward an opinion of his own on that subject, as it was a matter which so much depended upon experience; but he understood that a very distinguished officer of the House (Sir Erskine May), before a Committee which sat to inquire into the Business of the House, expressed a strong opinion that much of the Business could be best considered by a system of Grand Committees. His own belief was that if they were not prepared to divide the work of the country they would have to come to some sort of Home Rule. They must divide the work of Parliament itself. They must have some kind of Grand Committees of Parliament, which might sit at the same time and dispose of different business. If they did not adopt some radical measure of that kind, the pressure upon Parliament would increase more and more, and Scotch Members would become more and more discontented, and it would become more and more difficult to dispose of the Business of the country. He had ventured to make suggestions on this subject, and he only wished again to mention two—first, that the Government should give up not only a fair share of the time of Parliament, but a fair precedence in regard to time, to Scotch Business. That was a practical suggestion, and he hoped it was one which Her Majesty's Government would accede to. The other suggestion was that on every possible occasion Bills affecting England, Scotland, and Ireland should be rolled into one — that where they had one uniform system they should have one and not three Bills for the Three Kingdoms. Those were suggestions which he thought the Government might immediately adopt.

MR. ASSHETON CROSS: That, Sir, is what I call a good-natured grumble all round. I have not the slightest fault to find with the hon. Gentleman for having given expression to his views and feelings on the subject; but, looking at the discursive nature of his remarks, I hope he will pardon me if I do not follow him through all the many windings of his speech. I fully recognize the fact that many of the matters he has brought forward deserve attention, but to attempt a general discussion on the whole would not, I think, be saving the time of the House. I am very happy to be able to tell the hon. Member that in the two suggestions which he has made I most cordially and heartily concur—namely, that, so far as the Scotch Business which will come before the House on the part of the Government is concerned, it should be taken at a time of night when it can be reasonably argued out, and that it should have reasonable precedence in point of time. I also entirely agree with him that whenever Bills affecting England, Scotland, and Ireland can be rolled into one, it ought to be done. I am glad that the hon. Member has at last discovered that there is a difference between localization and uniformity; that localization may be good in one case, and uniformity better in the other. That is a principle upon which I have had to argue a good deal during the last few days, and I am glad the hon. Gentleman has come to the same conclusion as I did myself. But in regard to those Bills, just see how the hon. Gentleman would treat them. The moment they are rolled into one, he would say they are not a Scotch measure; after we had taken trouble to satisfy him, he would say at the end of the Session—"Why, you have not passed a single Scotch measure." The real fact is that Scotland, as I have always thought, is an integral part of the United Kingdom, and Ireland too, and there are a vast number of measures relating to the welfare of Scotland which, by the wise anticipation—not only by this Government, but by former Governments—of the suggestion which has fallen from the hon. Member, have been rolled into one, and therefore in his category they do not come under the title of Scotch measures. What the hon. Member means, no doubt, is that there are certain things affecting the interests of Scotland, and Scotland only, and in the case of Scotland there are many matters where, in the present state of the law, it is absolutely impossible that one Bill will do. I never will consent, so far as I can help it, to separate Bills where one Bill will do; but in many cases separate Bills cannot be helped at present. I hope gradually the laws of Scotland and England will be much more assimilated. It would be a good thing if they were. But treating simply Scotch measures only, a good deal has been done since we came into power. We have passed a Summary Prosecution measure, a Bill for the Amendment of Entail, a Public Health Act, an Act, dealing with Artizans' and Labourers' Dwellings, a Church Patronage Act, and others in 1874 and 1875; and though last year it is quite true that, as far as the number of measures went, the business done was small, a considerable advance was made towards the settlement of the question of roads and bridges. Now, the hon. Member says that we have added insult to injury, and in this case I am bound to say that the Scotch motto *Nemo me impune lacesset* has not suffered with the hon. Baronet. But we were in a difficulty here, as the complaint is that in putting the Prisons Bill on the Paper we put first the English, then the Irish, and then the Scotch. Now, as I came out of the House of Lords immediately after the Queen's Speech was delivered on the day Parliament opened, I was met by an Irish Gentleman of considerable ability and position in this House. He said to me, "What have you been doing?" I replied, "I really do not know;" and he rejoined, "You have put Scotland before Ireland in the Queen's Speech," and it is very hard indeed to say how we can please all parties. We put the one before the other in the Queen's Speech, and we arranged the Bills differently on the Paper, and no one is pleased. But so far as these Bills are concerned, it is the intention of the Government that they shall all pass into law one after the other:—at this early period of the Session there shall be no breaks, so far as the Government can help it, in the passing of the three Bills, and probably they will all leave this House on or about the same day. The hon. Member rather suggested that we ought to have read the Scotch Bill the other night. Here, I think, I am really bound to say it is not my fault, for but for two hon. Gentlemen from Scotland, it would have been put down for the second reading on Monday, and would perhaps have come on at 9 or 10 o'clock. But it was at the request of Scotch Members, and at their request only, that it was put off. Now, what have we done? We have placed in the Queen's Speech two Bills of considerable importance to Scotland. When we have done that, it is impossible that we should not do our best to pass them. It is the intention of the Government that they should pass, and that they should be brought forward at a reasonable hour, and have reasonable precedence. When you talk of 1876, you must remember that it was not Scotch Business alone that suffered, but English and Irish also. Debates were so prolonged on one or two measures—though I do not say unnecessarily prolonged—that one measure which I was myself extremely anxious to pass into law I was obliged to withdraw. If the hon. Member will be content with the assurance I can give him, I hope that when the end of this Session arrives he will be far more satisfied, and that without the Turkish coercion with which he threatens us. I will not enter at the present moment into questions of a code or a Grand Committee, or of matters of Private Legislation. All these matters have been considered by successive Governments, and the growing Business of Parliament will at some time or other demand serious attention. At present I believe a good deal of time might be saved if some Members would, in the course of debate, keep rather more strictly to the point under consideration. As to the best mode of dealing with Private Legislation, that is a matter on which persons of great experience have come to different conclusions. It is a matter which has been seriously thought of, and about which very different opinions are entertained. I do not know that I should be justified in taking up the time of the House any longer from the ordinary Business, but I will assure the hon. Member once more with regard to his two last suggestions—first, that particularly Scotch Business certainly shall have a fair share of the time of the House and fair precedence; and that, whenever three Bills can at any time be rolled into one, I shall, as far as I can, see that this is done.

SIR ROBERT ANSTRUTHER said, he thought the remarks that had fallen from his right hon. Friend the Home Secretary had fully justified the hon. Member for the Kirkcaldy Burghs (Sir George Campbell) in bringing the matter before the House. He was prepared very nearly to endorse all that his hon. Friend had said; though, as to the suggestion of applying a little Turkish coercion to Her Majesty's Government, he must say that those hon. Gentlemen had not as yet applied any Turkish oppression to the subject-races that sat on those Benches, nor did he contemplate applying any Turkish coercion to them. The Home Secretary had practically admitted the grievances complained of by his hon. Friend—he admitted, at all events, that last year, and probably for some years back, Scotch Business had been in a very neglected state. They could not expect the right hon. Gentleman to admit more than that. He had made his admission frankly, and they would frankly accept it. He had done more than that—he had promised amendment. Now, when you brought a distinguished functionary occupying the position of the Home Secretary down to that level, he thought his hon. Friend had done very well; and they might rely upon it that the Home Secretary was fully convinced of the necessity of putting Scotch Business upon a more satisfactory footing than it had hitherto occupied. He was convinced that his hon. and learned Friend who sat at his side (the Lord Advocate) would not for a moment suppose that in any remark that had been made, or might be yet made, about the office of Lord Advocate, the smallest personal reflection was intended to be cast upon himself. They had now had the pleasure of hearing the learned Lord addressing the House on two occasions, and he thought he only expressed the general sentiment of the House—as far as he was able to gather it—when he said that they would be very glad indeed to hear the learned Lord address the House again. No doubt it did appear to some of them—and certainly to himself—that something like a more thorough reform in the management of Scotch Business was needed than the Home Secretary had laid down in the hope of being able to carry out. It appeared to him the Home Office was not strong enough for the work it had to do. He was not going to say anything offensive to lawyers, but it was quite anomalous that the whole civil business of Scotland should be, as it was, conducted entirely by a Lawyer; and when he said that, he was not expressing an opinion confined to that side of the House, for, as the Home Secretary was well aware, this subject had been several times before Parliament in past years. It was brought under the notice of Parliament in 1858 by his right hon. Friend who now sat for the Montrose Burghs (Mr. Baxter), and it was again brought before Parliament in 1864 by Sir James Fergusson, who unfortunately had not at present a seat in the House; and again by the right hon. Member for Montrose in 1867. It was almost impossible that these repeated remarks made of the want of strength in the Home Office for the tranasction of Scotch Business could be made altogether without ground for complaint, and though he did not intend to go into any detail on the subject just then, and although perfectly well satisfied as far as it went with the promise which the right hon. Gentleman had given, that Scotch Business should be presented to the House at convenient hours, and should be put in its own proper place on the Notice Paper, he would respectfully invite attention to the question whether it would not be possible, with considerable advantage, to strengthen the Home Office for the performance of civil business, more specifically Scotch.

Sir EDWARD COLEBROOKE said, that the complaints of neglect of Scotch Business were unquestionably well-founded. For many years past the Scotch Members had complained of the manner in which Scotch Bills were brought forward, of the utter neglect to give opportunities for fair discussion of them, and of delaying Scotch measures till sometimes within an hour of the period at which their debates were usually brought to a close, so that those measures were forced upon them without that discussion which in justice to them they ought to have. But as far as last Session was concerned, he thought the Scotch Members were almost equally to blame for the failure of Scotch Business as Her Majesty's Government. He might refer particularly to the manner in which the opposition to the Poor Law Bill was developed. The number of speeches by hon. Members on that side of the House was enough to thwart any Government. Look at the Scotch Poor Law Bill and other Scotch measures—such was the multitude of speeches ready for delivery that the Lord Advocate was compelled to drop them. But without following his hon. Friend (Sir George Campbell) through all the stages of his speech, the matter rested in a very small compass. All they wanted was time, and, after the very fair assurance the Home Secretary had given them, that Scotch measures would be considered in a manner which would give them reason to be satisfied, he would only say one or two words. First, he would say that while the main responsibility rested on the Government, he must appeal to his hon. Friends from Scotland to consider the responsibility which also rested upon them. He had heard a great many compliments paid to the Scotch Members in former years, both in and outside the House, on the manner in which they conducted their Business, because they did not make long speeches in either House. Now, his hon. Friend the Member for Kirkcaldy (Sir George Campbell) was an example, in making a speech an hour long that might have been compressed into a few words. He thought they ought to give an honest assurance to Her Majesty's Government that they would make short speeches and stick to the point. Next as to the manner of conducting Scotch Business out of the House. There had been many compliments paid to the Lord Advocate, and he (Sir Edward Colebrooke) might speak as an old man who had had some experience of Scotch legislation. His hon. and learned Friend's Predecessor, Lord Moncreiff, was very successful in passing Scotch measures of late years, and he thought that was much due to inviting Scotch Members to meet him at his office and talk the matter out. Now, he could assure his hon. and learned Friend that they were not a very formidable body to meet. He did not think he need be afraid to give them opportunities to let him know what their most important objections were, so that he might take them into consideration in shaping any measure he might be framing. He had to say that he entirely differed from the hon. Member for Fife (Sir Robert Anstruther) as to his opinion on the appointment of a Secretary of State for Scotland by way of strengthening the Home Office. No doubt the Office might be strengthened by the introduction of some Scotch element, but not in the position of Secretary of State. There might be an Under Secretary, who had some knowledge of Scotch affairs, and who could assist him in Scotch Business. In that way, he thought material aid might be given.

COLONEL ALEXANDER said, there were one or two passages in the speech of the hon. Member for Kirkcaldy (Sir George Campbell) to which he desired to advert. As they all knew, this complaint of the delay of Scotch Business was as old as the hills. The delay they knew was not due to this Ministry or to that, nor to this Party or to that, but was rather traceable to the antiquated manner in which Scotch Business was conducted in the counties. In each county a standing committee was appointed to report on Scotch Bills introduced either in that or in the other House of Parliament. Up to lately these committees had been in the habit of proceeding in the most leisurely manner possible. It took them two months to consider the Parliamentary Bills submitted to this House; it was then put to the county as to what Bill or Bills should be petitioned for or against. In that way about three months were lost. Was that the fault of the Minister of that House? Was it not the fault of the antiquated system that had prevailed in Scotch counties which wasted three precious months of the Session before they decided what action was to be taken. On the other hand, they should not fly into the opposite extreme—they must not proceed too fast. Parliamentary committees, in order to deal with the subject, must have the Bills before them in sufficient time to enable them to give their opinions to the county. The mode in which the Bills were presented by the Government to the House was everything that could be desired. The Scotch Prisons Bill being substantially the same as the English Bill, would meet with little obstruction from the Members for Scotland. He was glad to hear the right hon. Gentleman promise reasonable time to discuss measures for Scotland. One thing he desired to say — that they ought not to follow the custom of last Session and allow a Bill to pass the second reading, *pro formâ*, on the understanding that the principle would be discussed on the Motion that the Speaker leave the Chair. That was the course pursued last year on the Poor Law Bill, and hon. Gentlemen would bear him out in the opinion that that course was not attended with success. Precious hours were wasted; and, after all, the Bill never got into Committee. So long as that course was pursued they would never succeed in advancing Scotch legislation.

MR. M'LAREN: I shall not go into all the matters referred to by the hon. Member for Kirkcaldy (Sir George Campbell), but shall endeavour to keep strictly to the question of Scotch Business before Parliament; and I hope I may be indulged a few minutes, as representing the capital of Scotland, where this question has been more discussed than in any town in Scotland; and, secondly, because I have not taken up any time this Session on any Business whatever. In whatever the Home

Secretary has said as to Scotch Business I place implicit credit. There is no Member of the House on whom I would more completely rely in a matter of this kind. But he only promised that any measures introduced into the House on Scotch Business should have fair play as to time for its proper discussion. There is a question beyond that. There are Bills that ought to be brought in to enable the legislation of Scotland to keep pace with that of England. What is the remedy? As to the longest part of the speech which the hon. Member for Kirkcaldy devoted to this point, not one word was said by the Home Secretary. The hon. Member for Fifeshire (Sir Robert Anstruther) has also dwelt on it, and on that point I would like to say a few words. Those who contend for anything that is ancient will, I hope, be conciliated by the remarks I am about to make. It is no new thing for Scotland to ask for a Secretary of State for that country, the same as Ireland has. After the Union there was a Secretary of State for Scotland as there was a Secretary of State for England. The office was continued for 36 years. It was dropped about 1740; but it was not dropped by legislative enactment. It gradually fell into abeyance. It may be argued that it was not in accordance with the feeling of Scotland or it would have lived. But there was no public opinion in Scotland at that time. Scotland was governed by a despotism. It had no public opinion whatever. Even up to the passing of Lord Grey's Reform Act there were only 2,800 electors in all the cities, boroughs, and counties put together, and the qualifications of many of these were fictitious, arising from lands to which the voters had no real title. Upon that I will not dwell. As soon as public opinion arose in Scotland, this question began to be understood. There was one family which had ruled Scotland for about half a century as if they were its sovereigns—the Dundas family. That was continued until 1828, when a number of Scotch Members arranged with Canning that if he would extinguish the Dundas sovereignty they would give him their support; and from that time there has been an active public opinion in Scotland. In 1832 a Scotch Lord of the Treasury was first appointed, in the hope of improving matters, by getting attention paid by the Legislature to the Business of Scotland; but he was far too small an officer to influence the Legislature or the Cabinet. The agitation still continued. In 1853 there was one of the largest and most influential meetings ever held in Scotland, on this subject, and a Resolution was passed declaring that Scotland was entitled to have a Secretary of State. The Resolution was that—

> "This meeting considers it necessary for the better administration of the Public Business of this part of the United Kingdom to have a Secretary for Scotland, and that it would be for the practical benefit of the united Legislature if the office of Secretary of State for Scotland were restored, with all the rights and privileges formerly appertaining thereto, and this meeting invites the burghs and cities of Scotland to petition Her Majesty on the subject."

I have said this meeting was, perhaps, the most influential ever held in Scotland. I may inform hon. Gentlemen opposite that it was mainly composed of Members of the Conservative Party on the platform. Lord Eglinton was in the chair, and there were present Lord Grey, Sir David Dundas, Sir Archibald Alison, Sir J. W. Drummond, Sir Charles Napier, Sir H. H. Campbell, Professor Aytoun, Sheriff Skene, the Hon. G. Sinclair, Captain Hamilton, and a large number of others, including the hon. Member for the Isle of Wight, who made an excellent speech on the subject, and who was described as "Alexander Baillie Cochrane, of Lamington." That meeting passed the Resolution to which I have referred. A number of Petitions were sent up to Parliament; and from that time, although the question has been allowed to smoulder, it has never been buried, and I believe it never will be buried. One of the bodies with which I am connected —the Chamber of Commerce—sent a Memorial to the Secretary of State, and he answered that he was the Secretary of State for Scotland. Well, that was literally true, but it did not improve the state of affairs. A few years ago—in 1869—Mr. Gladstone's Government took up the question, and appointed a Treasury Commission to enquire into these matters in Scotland, and that Commission reported that there were difficulties, and that they were opposed to any great changes, but various recommendations were made, none of which were ever carried into effect. I mention these things to show that the question of a Secretary of State for Scotland had been brought down to the present time. I may repeat what has been said by other Members—but I hope no one will suppose I mean any disrespect to, or reflection on the Lord Advocate who now holds office. I have never spoken of him but with the greatest respect, either in public or private; but it is quite enough that he should attend to the legal Business of Scotland, as the Solicitor General for Ireland attends to the legal Business of Ireland; and we should have a Secretary to attend to the lay Business of Scotland, as a Secretary attends to the lay Business of Ireland. There are other more practical grounds of complaint. In our taxation we suffer injustice. In the income tax, under Schedule A, on the city which I represent (Edinburgh), the rents have risen about 5 per cent yearly during the last three years. In England an assessment for the income tax is made once in three years on the rental, and not on the rental for each year; and there is a Bill before the House for extending this period to five years; while there is a new assessment for Scotland every year. That is a practical tangible money grievance. Then again, the sum of £10,000 granted under the Poor Laws to Scotland has no reference whatever to the equitable demands of Scotland, as compared with the grants to England and Ireland. Again, it appears by the present Estimates that the total sum allotted by Government to Public Buildings in Scotland is £8,400, while for Ireland the sum of £177,000 is allowed. Twenty years ago an Industrial Museum was established in Edinburgh, which is largely visited by the working classes, the returns showing that a greater number visited it in proportion to the population than have visited the South Kensington Museum. What have the present Government done? Till it came into office certain grants were annually made. But during its first year of office an excuse was made; then another excuse the following year; and this year also there has not been a shilling granted, while £177,000 have been given to Ireland and large sums to England. Is it a right thing, I would ask, that the Government, for the purposes of economy and saving expenditure, should cut off the necessary payments that ought to be made in Scotland? I say that this is a very wrong state of things, and ought not to receive the sanction of the country. In stating these things I wish it to be distinctly understood that I am not in favour of a lavish expenditure—I have always advocated economy; and, although last year I obtained a Return which showed that the expenditure for the judicial system in Scotland was less than half that for the judicial system in Ireland, yet the hon. Member for Aberdeen (Mr. Barclay) had my entire concurrence when he proposed to reduce the number of Judges in Scotland. I mention that to show that it is not money for Scotland that I want. Irish Members clamour for money for Ireland for the creation of places, and the keeping up of the judicial system, but I would just as soon vote for the extinguishing of offices in my own town as for the extinguishing of offices in England or Ireland. I was glad to hear the Home Secretary refer to the Roads and Bridges Bill, although I think the Bill itself contains another Scottish grievance. I know the Rules of the House too well to discuss that Bill now, but I will say—as I said a few days ago—you appoint a Committee of this House to take into consideration Petitions for the abolition of expiring English turnpike trusts, and they are abolished whenever the Committee think they are no longer necessary. That Committee refuses to receive any Petitions respecting Scotch trusts; and the consequence is that in the county in which Edinburgh is, its Act of Parliament expired 10 years ago, and although it had a most improper constitution when it was passed, that trust has been continued from year to year, by the Annual Continuance Bill, and the public has no power whatever over it. There is an enormous expenditure going on for keeping roads and bridges in repair, but we cannot approach this Committee with our county roads grievances. What has the Home Secretary done? He has brought in a most excellent Bill for repairing the roads and bridges of Scotland; but it is a Bill not for to-day, but to come into operation, compulsorily, only 10 years hence. Why not leave it to his successors to bring in such a Bill. No doubt it is a permissive Bill up to the 10 years; but I think it is not desirable that a county, where the Act expired 10 years ago, should remain in the same state for another 10 years through the sovereign will and pleasure of the county authorities alone. If the powers of Parliament are to be given to a local body to determine when the Bill shall come into operation, it should be a body imbued with public spirit, representing the county and burgh authorities in proportion to their several interests. Under these circumstances, I hope the Government will seriously consider the proposal, first made by the hon. Baronet the Member for Peeblesshire (Sir Graham Montgomery) to extinguish the office of the Scotch Lord of the Treasury and to have in his place a Secretary who shall act for Scotland as the Chief Secretary does for Ireland; and leave the Lord Advocate to conduct the legal business before Parliament.

Mr. MARK STEWART said, he desired to record his satisfaction at the statement made by the right hon. Gentleman the Home Secretary. He could not conceive any statement with regard to Scotland more forcible, or that would give greater satisfaction to that country. That country had been generally dissatisfied on the ground that Scotch Business had been apparently neglected; and although they in that House were well conversant with the facts of the case, and though they knew that it was not the fault of the Government that Scotch Business had been neglected, yet there had been no assurance this Session that there would be any Scotch Business, except the two Bills mentioned in the Queen's Speech. He did not propose to follow the hon. Member who had just sat down into the question of Scotch roads and bridges. The question was rather how they ought to meet the difficulties which confronted them in dealing with Scotch legislation and Scotch Business in that House. Now, however, when they were assured by the right hon. Gentleman that he would give Scotch Business due precedence, and that he would ensure its coming on at a reasonable hour, he was satisfied that that statement would be accepted generally by the country and by all in the House. One point there was that he desired to mention, and that was that it was a great matter to get Government Bills for Scotland out as early as possible. There was, for instance, the Poor Law Bill which occasioned great interest last year, and was likely to occasion more this—it would be a great satisfaction if it were in the hands of Members, so that it could be thoroughly discussed by them throughout the Easter Recess. With regard to the suggestion of the hon. Member for Ayrshire (Colonel Alexander), that it would be desirable for Scotch counties to organize their Parliamentary Committees at an earlier period of the year, he thought that if the Government were prepared to pay greater attention to the representations made by those committees they would certainly know a great deal earlier what their views of the Bills were than they did at present. The hon. Baronet who introduced the Motion talked as if the only business of Scotch Members was to sit there till past 12 at night to hear Scotch Business discussed, and then go home disappointed because Scotch Business had not been brought forward. He (Mr. Stewart) took a different view of his duty; he considered that he sat there not merely to consider those matters which affected Scotland as apart from the rest of the Kingdom, but rather to consider those which affected the interests of the whole Kingdom. He need not enumerate the difficulties the Government encountered in the long and dreary debates of last Session on the Royal Titles Bill, the English Amending Education Act, and other existing measures, nor would it be very easy to ascertain how the course pursued by the Opposition benefited Scotch legislation; and let the House recollect when it was desired to push forward a Scotch Bill—the Poor Law Bill—he believed it was the hon. Member for Kirkcaldy (Sir George Campbell) himself, who was most anxious that the Bill should not pass and who used all the Forms of the House to oppose it.

General Sir GEORGE BALFOUR said, that if there was one thing more than another that had characterised that debate, it was the desire to abstain from attacking the Government in any form, or throwing blame upon them. It was true that the hon. Member for Kirkcaldy (Sir George Campbell) did refer to the last Parliament, in connection with the promises of the present, to show the way in which Scotch Business had been neglected in that House. Now, there was nothing that struck him

(Sir George Balfour) so much, when he entered Parliament before the change of Government, as the way in which Scotch Business was neglected; and when he inquired the cause, was informed that it was a practice that had existed for many years:—therefore, in that respect they had no reason to impute blame to the present Home Secretary. No one was more ready than he to listen to representations made by the Members from Scotland. Therefore, it must be understood that in any remarks he might make he did not mean to impute personal blame to any of the Ministers, seeing that they were only carrying out a bad practice handed down from their Predecessors. He had heard with great satisfaction the promises the Home Secretary had made that night with regard to devoting his personal attention to Scotch Business in the future; but he did not think it possible for him to fulfil the promises he had made. He well knew that there was no suitable machinery within the office of the Secretary of State for dealing with the details of Scotch affairs, and he fully believed that the close attention the right hon. Gentleman was obliged to give to the Business of England and Wales occupied the whole of his time, and that it was impossible for an English Secretary of State to attend to Scotch Business in the way Scotchmen had a right to expect. The recent mode of bringing the Prisons Bills of England, of Ireland, and of Scotland before the House supplied a good illustration of the relative importance of the three divisions of the Kingdom. He found a Cabinet Minister bringing forward the Bill for England and Wales, and a Cabinet Minister bringing forward the Bill for Ireland; but he found the Lord Advocate, who was not only not a Cabinet Minister, but not even a Minister, bringing forward the Bill for Scotland. That, he thought, was a circumstance which showed in a marked manner the way in which Scotch Business was being neglected. Only that morning he was struck by the demand made by the hon. Member for Louth (Mr. Sullivan) in regard to Ireland, and which was at once acceded to. He demanded that the Irish Prisons Bill should be brought forward at as early a period of the evening as the English Bill had been; and the Irish Secretary, being a Member of the Cabinet, at once promised to use his best endeavours to see that that was done. When he contrasted the patient endurance of Scotch Members with that persistent energy in demanding of the Irish Members to have their affairs discussed at early hours of the evening, he was afraid that those for Scotland might be led to follow the same course pursued by hon. Members from Ireland in order to get that fair and proper attention paid to their affairs which was now forced to be given to those of Ireland. The conclusion that he had come to was that, unless they had a Cabinet Minister for Scotland, he did not think they would ever get Scotch Business brought forward so promptly and so well as had always been the case in regard to English, and, of late, as in the case of Irish affairs. The influence of a Cabinet Minister was shown in the case of other Departments. They saw Business connected with the Board of Trade, the Local Government Board, and India, equally thrown aside whenever the Business in the hands of a Cabinet Minister required priority. It was on that account that he cordially supported the hon. Member for Edinburgh (Mr. M'Laren) in asking the Government to give them a Minister having all the requisite influence, and who would become responsible for the Scotch Business. The hon. Member had shown that they had in former days a Scotch Secretary of State. That appointment was taken away in order to meet the exigencies of the unwieldiness of a large Cabinet Council; and yet, knowing how inadvisable it was to have too many Members in the Cabinet, at least, Scotland ought to have a real Minister of State, if not in the Cabinet, at all events in some position of responsibility. In regard to the Lord Advocate, he would point out that his whole time was not devoted to public duties, and that his remuneration was not commensurate with that sacrifice, and must, therefore, ask if the Scotch Members could not have the time of their Lord Advocate entirely to themselves. Hon. Members knew well that the Lord Advocate was obliged to attend to legal business in Edinburgh; and, indeed, any lawyer of standing at the Scotch Bar who accepted the position had necessarily to sacrifice much of the private business which was so important to him. Still, Scotland ought to be able to pay an officer for managing its affairs, and to pay him so well that he could afford to give up the whole of his time to the work. At all events, if they could not obtain a Minister of State for Scotland, he thought that they should have a separate and distinct Scotch Department within the Home Office formed of permanent Civil servants of the State, to which Members of Scotland could apply, quite distinct from the small temporary office of the Lord Advocate, and where the Home Secretary could collect information and always have it thoroughly at his own command, without being dependent on the Lord Advocate. With regard to the remarks that had been made as to the Bills which had been brought forward by the Government in former Sessions, it had been said that the Scotch Members themselves were to blame for their defeat or failure; but he thought this to be an unjust accusation, for he knew of no occasion in which the late Lord Advocate appealed to them in vain to assist him in passing his measures, and on more than one occasion Scotch Members accepted imperfect measures to avoid discussions.

The LORD ADVOCATE: Sir, I am painfully aware that I am probably less qualified than any of my Predecessors to take part in the present discussion, because having been hardly ten days in the House, it would be bad taste for me to take on myself to criticize any observations which concern either my own office, or the conduct of Business in past years in this House, or the best method of expediting Scotch Business in the future. But one or two statements have fallen from Scotch Members in the course of this debate of which it is necessary I should briefly take notice—particularly in regard to what fell from the hon. senior Member for Edinburgh (Mr. M'Laren). He stated—not by implication merely, but in very plain set terms —that England in regard to legislation stood in advance of our realm of Scotland. Having a tolerably intimate acquaintance with the Statute Book, I am totally unable to give assent to that proposition. Imperial legislation in all questions of importance has been equally considered in regard to both countries, and if hon. Members would study the various statutes on our books which affect the social welfare of the people, and which relate to what I may call the more important parts of useful social legislation, they will find that Scotland is certainly not one whit behind the sister country of England. I challenge those hon. Members who take a different view from me on this point to state what special legislation they say has been passed for England in which Scotland has not had her own share of legislation. Why, in the matter, for instance, of the Public Health Act, we had our consolidation statute passed by the Legislature in 1867; whereas that for England was not passed in this House till 1875. The General Prisons Act for Scotland passed in 1860, which a Bill is now being introduced to amend; and a measure somewhat similar, and differing only in its applicability to England, did not become law until five years afterwards—namely, in 1865. The hon. Member for Edinburgh referred to certain grievances under which Scotland labours in respect to the imposition of Imperial taxation upon two different bases of valuation in the two countries. I would have asked the hon. Member, had he now been in his place, whether that arises from England being in advance of Scotland in valuation legislation? I take it I would not have received a negative answer from the hon. Member had I asked him if he did not sincerely approve of the Valuation Acts which have been passed by the Legislature for Scotland, as following a much more simple and comprehensive plan than the statutory rules of England on the subject. I think the logical conclusion, according to his own views of valuation legislation, would be that England is in the wake, and ought to follow rapidly the legislation which has already passed for Scotland. I think that the hon. Member's observations, when carefully examined, really tend to illustrate and establish this fact—that although certain grievances in the conduct of Scotch Bills may have been justly complained of—and I trust my experience in this House, after the assurances which hon. Members have received from the Home Secretary, will not make me acquainted with those grievances—the result has not been to impede the passing by the Legislature of useful measures for Scotland—and that England has not, apart from Imperial measures, succeeded in obtaining an undue share of the legislative attention of the House. It may be exceedingly unpatriotic of me to refer to these things; but when it is broadly stated that we are so much behind, I feel as a Scotchman bound to rise and state, according to my own knowledge as far as it goes, that that statement in its broad terms can scarcely be accepted.

MR. ANDERSON said he regretted exceedingly the speech he had just heard from the Lord Advocate. He should have had more hope for Scotch Business in the future if he had not made it. The speech of the Secretary for the Home Department was very encouraging, for he admitted a neglect of Scotch Business in the past, and promised to do his best in the future; while on the contrary that of the Lord Advocate, rather justified the past and said they had nothing to complain of. To prove that these complaints were well-founded, they had only to look at the amount of time given to Irish measures and Bills in the last few Sessions, and compare it with the time given to Scotch questions, and the way in which they were systematically shelved. He had great doubts whether the Lord Advocate really had time to give the necessary attention to Scotch Business—whether, in fact, he or any Lord Advocate could do it. Ireland had two Law Officers as the Scotch had; but over and above that, Ireland had a Secretary of State, who was a Cabinet Minister, and who attended to the business in a way in which it could not be done if it had to depend only on its Law Officers. As had been admirably pointed out by his hon. Friend the Member for Edinburgh (Mr. M'Laren), it was not only the neglect of legislative Business that they complained of, but that it was partly fiscal differences between Scotland and England which required to be redressed, and would have to be sooner or later. The Home Secretary had spoken of three Scotch measures, two of which he said were included in the Queen's Speech, and would therefore certainly pass. The other was one which was mutilated last year, and partially passed. Now, the right hon. Gentleman and the Government were under no special pledge to the House or the country with regard to the two Bills which had been put into the Queen's Speech; but the right hon. Gentleman was under the most specific pledge with regard to the Sheriffs Courts Bill. That Bill was not put into the Queen's Speech, they had not yet heard a word about it as to its being brought in this year. [Mr. ASSHETON CROSS: It has been already stated in the House that it would be brought in this Session.] He was very glad to hear that statement and hoped it meant that the right hon. Gentleman really intended to fulfil his pledge to the House and to the country, not only to bring in the Bill, but to pass it.

MR. J. W. BARCLAY said, he had no desire to prolong this debate, but he hoped the House would not begrudge Scotch Members a few hours to allow the question to be fully discussed. He thought that the right hon. Gentleman and the Lord Advocate, instead of attempting to bring the debate to an abrupt conclusion, would have done better had they listened to all that the Scotch Members desired to say. He thought that the statement the right hon. Gentleman the Home Secretary had made in regard to Scotch Bills was in every respect satisfactory, and he had not the slightest doubt that the right hon. Gentleman intended to carry out the promises he had made; but he thought they had heard something of this kind before, and, notwithstanding, Session after Session had passed over with the same complaints and the same results in regard to Scotch Bills. They were put on the Paper of the House without the slightest chance of their coming on for discussion; and the Scotch Members had to remain here to look after these Bills, or be driven to the extreme course initiated by the Members from Ireland to prevent the measures from coming on after half-past 12 o'clock; other Scotch Bills were left over, and hon. Members were told that they must accept them as they are or forfeit them altogether. He thought that a very fair cause of grievance on the part of Scotch Members. There was beyond doubt a very strong feeling in Scotland on the subject. He had no sympathy with any of the suggestions which the hon. Member for Kirkcaldy (Sir George Campbell) had made as to Home Rule—he had no desire whatever to see a home Parliament sitting in Edinburgh, instead of the Public Business of Scotland being attended to by the Imperial Government. So far as centralization was concerned, various Boards had been established in Edinburgh which were in no way responsible to that House, but had far more autocratic and despotic powers than the right hon. Gentleman the Home Secretary himself. As regarded the expense of passing private legislation, he had had some experience in passing private legislation in this House for a Scotch municipality, and he could therefore say that the expense was very serious indeed, but he had been unable to discover how the business could be conducted more cheaply in Scotland than in London. He thought the system of Provisional Orders might be extended very largely, to the great advantage of the public, both as conducing to efficiency and economy. But besides the matter of the conduct of Scotch Bills in that House, there were other questions in regard to the general conduct of Scotch Business as to which he very much sympathized with the views stated by the hon. Member for Kirkcaldy. He like him, had no very great confidence in lawyers' legislation for the general affairs of the country. It was admitted that not legal matters only, but general social questions with regard to Scotland, were entrusted to the Lord Advocate. He was unable from his experience to say who else they had to look to but the Lord Advocate with reference to all affairs affecting Scotland. [Mr. ASSHETON CROSS: I have charge of those matters.] He understood, then, that it was to the right hon. Gentleman the Home Secretary they had to apply on questions relating to Scotch Business. They had advanced a stage in this matter then, and they now knew that they had not to trouble the Lord Advocate in regard to Scotch affairs, but had to apply to the Home Secretary. He could assure the right hon. Gentleman that if he had known this before it would have saved him a great deal of trouble. During the last Session of Parliament, and also during previous Sessions, he always understood that it was the Lord Advocate in Scotland who looked after Scotch affairs in the first instance. He (Mr. Barclay) now understood that the Lord Advocate was not in charge of Scotch Business except so far as being the Legal Adviser of the Crown on Scotch affairs. He could understand his occupying the same position in regard to Scotland that the Attorney General did to England. But he would point out in how unfair a position Scotland was in regard to Ministers to look after her interest. England had her Home Secretary, her Under Secretary of State, her Attorney General, and her Solicitor General. Ireland, in the same way, had three representatives—her Chief Secretary, her Attorney General, and the Solicitor General. But Scotland had no representatives whatever exclusively for herself; for the Home Secretary said he was going to take Scotch affairs—

MR. ASSHETON CROSS: I beg your pardon; I never said so. I said I was responsible Minister for Scotland.

MR. J. W. BARCLAY said, he quite understood the right hon. Gentleman to be responsible for the general business of the country, but he understood, from what had previously fallen from the right hon. Gentleman, Scotch Members, in their intercourse with the Government on Scotch affairs, were to apply to him and not to the Lord Advocate as heretofore. He did hope the Government would consider the propriety of appointing a special Scotch official. He had no desire to ask for a Cabinet Minister, although Ireland had one; but he should like to have an Under Secretary for the Home Department especially charged with the care of Scotch Business.

MR. W. HOLMS said, that the best justification of the course taken by his hon. Friend the Member for Kirkcaldy was to be found in the speech of the hon. Member for South Ayrshire. The complaint of the neglect of Scotch Business was not only a very ancient grievance, but it was one about which Scotch Members on both sides of the House were nearly unanimous. The only Scotch Member who apparently did not agree in the justice of this complaint was the Lord Advocate, and he deeply regretted that he should have made such a speech as he had made that night. The learned Lord had challenged Scotch Members to find a single instance in which Scotland was not in as good a position as England. He (Mr. Holms) would venture to quote several. First of all, until last year they could not borrow money in Scotland for sanitary purposes under 5 per cent; whereas in England it could be borrowed at 3½. Again, as to medical officers in connection with the sanitary boards, last year while England had £160,000 for that purpose, the Scotch had to put up with a beggarly £10,000.

Again, there was a complaint as to the income tax assessors, who were paid less than in England. Those were some of the evils of which they complained, arising he believed from the want of adequate representation of Scotch interests on the front Bench in that House. He ventured to say that under the present system it was impossible that Scotch Business could be efficiently attended to. On the one hand, there was the Home Secretary overburdened with work; on the other, the Lord Advocate with a threefold duty to perform. First, he was Law Adviser of the Crown; secondly, he had to bring in and take charge of all measures affecting Scotland; and, lastly, to look after his own private practice, which was generally a very large one. The Chancellor of the Exchequer told them in a good-humoured way—he believed it was at Edinburgh—that the Scotch were too modest in pushing their claims. He did not think the Government were wise to encourage the idea that they would get more by grumbling. Scotchmen did not forget that their interests were the interests of the Empire, and though in some respects they asked for special legislation, they wished to have no more than their fair share. It appeared to him that what was wanted was to have, as suggested by his hon. Friend the Member for Forfar (Mr. Barclay), an Under Secretary for Scotland, who would have, and be responsible for, the general management of the affairs of Scotland.

Mr. ASSHETON CROSS said, in explanation, it must be borne in mind that the Secretary of State for the Home Department was Secretary of State not for England alone, but for the United Kingdom. Therefore he desired it to be understood that he was the Minister answerable for Scotch Business. Unfortunately, hitherto the office of the Lord Advocate had been in a different building from the Home Office; and the result had been that many applications in respect of Scotch Business had been made to the Lord Advocate which ought to have been made to the Home Office, and had not been brought to his (Mr. Cross's) cognizance. He could assure hon. Members that any application relative to Scotch Business made to him at the Home Office would receive his prompt attention.

THE WAR DEPARTMENT—PLUMSTEAD COMMON.—OBSERVATIONS.

Mr. BOORD said, if the Forms of the House had admitted of it, he would have moved an Amendment to the effect—

> "That the action of the War Department in taking a lease of Plumstead Common from the Lords of the Manor has hindered its preservation by means of a scheme under 'The Metropolitan Commons Act, 1866,' as a much needed place of recreation for the inhabitants of the neighbourhood, and that therefore the proposed renewal or continuation of such lease is undesirable and inexpedient;"

but, being unable to do so, he must content himself with calling attention to the subject. The War Department had the option of determining the lease of which he complained on the 25th of March next, hence it was necessary to take the earliest opportunity of bringing the subject under the notice of the House, in order to prevent, if possible, its continuation. Plumstead Common was part of the waste of the manor of Plumstead, which had been in the possession of Queen's College, Oxford, since the year 1685. There had always been a considerable number of freehold tenants of the manor exercising common rights of the usual description, as was shown by the Court rolls and by the list of commoners which had been made out from time to time since 1691. The last of these lists bore date so recently as December, 1847. No dispute had occurred between the commoners and the lords of the manor until 1859, when the latter engaged the services of a new steward—a Mr. White—who set about improving the property of his employers without reference to the rights of the commoners or the interests of the inhabitants. His object seemed to have been to dispossess the commoners of their rights by any and every means, and so to acquire for the lords the unencumbered freehold of the land. To prevent those and other encroachments, a suit was instituted in 1866 by four commoners, on behalf of themselves and all other freehold tenants of the manor, against the lords. This was heard by the Master of the Rolls in 1870, and decided against the College; and that decision was confirmed, on appeal, by Lord Chancellor Hatherley in 1871. The Metropolitan Commons Act was passed five years previously, in 1866, but nothing could be done in the interval between that date and the appeal, owing to the litigation which was pending. After the appeal was decided, however, the Metropolitan Board of Works made three attempts to procure the preservation of the Common by means of a scheme under the Metropolitan Commons Act, but these attempts were frustrated by the claims set up by the War Office and the lords of the manor. On the last occasion this lease was discovered to have been taken by the then Secretary of State for War, Lord Cardwell; and on that discovery being made, all hope of success had been given up, in consequence of the antagonistic attitude of the Government. The lease conveyed manorial rights over 77 acres for 99 years, at an annual rent of £315, with the option of purchase for £10,000; and the objection to it was that it placed an entirely fictitious value on the rights of the lords of the manor —a value calculated to frustrate any scheme for the preservation of the Common. Besides that, it involved an extravagant expenditure of public money, as he would presently show. Questions had been put to his right hon. Friend the Secretary of State for War in previous Sessions, as to the nature of the right by which he claimed to exercise troops on the Common, in reply to which he had declined to disclose his title, leaving it to be implied that he relied on the lease, but he (Mr. Boord) understood that that claim, if it had been made, was now given up, and a prescriptive right asserted in its place. If, then, the Secretary of State had such a prescriptive right, what, he would ask, was the value of the lease? It was a demise subject to all existing rights, including those of the commoners. His right hon. Friend might tell him that there were no commoners, but there was at least one in that House the hon. Member for Rochester (Mr. Goldsmid) and, for the purpose of asserting their rights, it had been decided that one was as good as a hundred. He presumed he should be told that the object of this lease was to enable the War Office, by acquiring the rights of the lords to the minerals, to maintain the surface of the ground unbroken; but the commoners had a right to take gravel, and if they desired to do so—though he would be sorry to recommend such a course—they could dig it in places most inconvenient to his right hon. Friend. He would no doubt also say that it was his duty to provide for the military requirements of the country; that he (Mr. Boord) readily admitted, but it was quite possible to do so without injuriously affecting the interests of the inhabitants of the neighbourhood—a crowded locality, occupied chiefly by the workers in the Royal Arsenal, who greatly needed recreation after their hours of toil. Of the 77 acres in question, not more than 50 could be used with any advantage by the troops, on account of the irregular shape of the Common, the roads, and other obstructions; but there was plenty of land close by, of the same quality of soil as the Common, and of no great value either for building or agricultural purposes, which he believed might be purchased for something like £200 per acre. If the right hon. Gentleman were to lay out £10,000 in that way, he would be able to acquire an unencumbered freehold for something like the price he was now paying for mere manorial rights which were practically valueless. He understood that negotiations were proceeding, and that an arrangement was likely to be made between the War Office and the Metropolitan Board of Works. It was high time that something was done, and he would be very glad to hear that a basis for agreement had been found. In the meantime he would ask his right hon. Friend to explain of what value this lease really was, and what were his expectations of a speedy settlement of the difficulty.

Mr. GATHORNE HARDY said, it was very natural that the hon. Member for Greenwich (Mr. Boord) should wish Plumstead Common to be a place of recreation for his constituents, and he might tell the hon. Member that he (Mr. G. Hardy) had no personal interest in the question. He must decline to enter into the details with the hon. Member; he was only a trustee for the public, but he had the greatest possible interest as such trustee in providing that the Artillery at Woolwich should have a proper place of exercise, and on the ground in question they had exercised for a century or nearly so. Therefore it was not likely he should disclose his title in that House while all sorts of litigation were going on and when attempts were made to deprive the Government of the use of the ground. The hon. Member had asked why was the lease taken? Anyone acquainted with the circumstances belonging to Commons would not be surprised that his (Mr. G. Hardy's) Predecessor, Lord Cardwell, finding that litigation was threatened, leased the rights of the lords of the manor so that he should not have them against him. Whatever those rights might confer the War Office now possessed. Those rights had been valued by competent valuers, and he thought that the sum paid for them—£315 per annum for the use of 77 acres—was not excessive, especially when it was remembered that it was in the immediate neighbourhood of large places like Woolwich and Greenwich. His hon. Friend was so obliging as to say that the Government might purchase all the land in the neighbourhood they wanted at £200 an acre. He had had a good deal of experience under the Loan Act of Lord Cardwell, which authorized an expenditure of £3,500,000 for brigade depôts in various parts of the country. He wished his hon. Friend were the valuer on whom they had to rely in such cases. But when his hon. Friend said that land in such a neighbourhood could be bought by the Government at such a price, he offered a most delusive bait, at which he (Mr. G. Hardy) was not likely to rise. If his hon. Friend thought that the outlay of £315 a-year was extravagant, he could raise the question on the Estimates. He was not prepared to dispute—and that was not the place for disputing—whether there were commoners or not, neither would he admit there were any; but as far as the proceedings had gone, it was notorious that only a few days ago an attempt was made in the Court of the Master of the Rolls to obtain an injunction against the Secretary of State for War for using the Common for the exercise of the Artillery. The Master of the Rolls would not hear of it. He was clearly of opinion that no title had been set up, and even if there had been, he said he would not grant an injunction against the Crown for using the Common for that purpose upon an interlocutory motion. Then what was the position of things? Last year he (Mr. G. Hardy) said, he was as anxious as anyone else that the privileges which the people enjoyed—although they had no right—should not be taken away from them, and that as far as possible the War Department would not interfere with them. With regard to Wormholt Scrubs, he took the same position there when litigation was carried on, and he made concessions to the Metropolitan Board of Works as the representatives of the public, which had been declared to be satisfactory. With regard to Woolwich Common, it was a fair place for exercising artillery at certain times of the year; but, owing to its being swampy in winter, it would be ruinous to use it. Plumstead Common, however, was practically hard gravel, where Artillery could be exercised without anything like the damage that would occur at Woolwich. Only the other day he received a deputation from the Metropolitan Board of Works to see if any arrangement could be come to with regard to Plumstead Common. He did not think it advisable on the present occasion to go into the nature of that proposal or the conditions offered by him, and he would only say that the rights of the lords of the manor did not affect the question. They only made it easier for the War Office to negotiate with the Metropolitan Board of Works than if the lords of the manor stood separate from the War Office. The fact was, as he had said, the War Office held those rights, and consequently were in a better position to negotiate with the Metropolitan Board of Works, and therefore he might say that he had authorized the legal secretary of the War Department to enter into a correspondence with the solicitor of the Board, which might lead to the War Department giving the public a right over part of the Common without interfering with the exercise of the Artillery, though he did not think that the public had any right to it. It was a great advantage to have this Common for the purposes of Artillery exercise, and it would be absurd to maintain a great Artillery depôt at Woolwich without having due opportunities of exercising the men and horses. He declined to go into the question of title, which had been brought rather more frequently before the Courts than he liked. In the Courts, however, it might possibly be discussed before long. He would do all in his power to secure the privileges and enjoyment of the people without giving up the rights he held both for the War Department and the country. As long as attempts were made by litigation to deprive the State of the use of the Common for

Artillery purposes he would resist them, but in his negotiations with the Metropolitan Board of Works he would do all that was consistent with his duty to secure the Common for the recreation of the public.

Mr. GOLDSMID understood that the right hon. Gentleman opposite had disputed the fact whether there were any commoners of Plumstead Common.

Mr. GATHORNE HARDY: No. I declined to enter into the question whether there are any or not.

Mr. GOLDSMID said, that he stood there as a Commoner of Plumstead Common, not by his own assertion, but by the decision of the late Master of the Rolls, and he would explain the position. In 1867 the suit now celebrated as the case of Warrick against Queen's College, Oxford (who were lords of the manor), was begun in reference to inclosures made by some persons of portions of the Common, under licence given by the steward of the College. Being a commoner, and feeling it his duty to support those who opposed the improper action of the steward, he (Mr. Goldsmid) had joined the other plaintiffs, and undertaken considerable responsibility in the matter. The case was fought before the late Master of the Rolls, and a decree was obtained against the College preventing any further inclosures, and enabling himself and his fellow-commoners to exercise the rights of Common which had been proved to exist. The College appealed to the Lords Justices, but the appeal was dismissed, it being decreed that the commoners had made out their rights. It was under those circumstances that the lords — they having no particular rights in the Common—granted a lease to the War Department and received £315 a-year. It was all very well for the right hon. Gentleman to say it was a cheap arrangement. It appeared to him to involve this—that the lords, finding they could do nothing with the Common, transferred their useless rights to the War Department by this lease. There was not only Plumstead Common but also Bostall Heath; and though the Metropolitan Board of Works had taken steps in regard to the Heath under the Commons Act to place Conservators over it, they had done nothing for Plumstead Common, which was exactly in the same position, except that as the Government forsooth had stepped in in the way described. A scheme for the preservation of the Common might involve action against the Government. It might be an expensive litigation; but he could not help thinking that the Board had acted in a pusillanimous manner in not looking after this property for the public, especially as the Master of the Rolls had so clearly laid down the respective rights of the parties to the suit. As to the allegation that the Common was only a bed of gravel, he would say that it was anything but that, until the Government cut up and destroyed the turf with their heavy artillery. Mr. De Morgan had interfered; but though a spirited, he was a misguided individual, and the persons who had acted with him were not commoners at all, and had no legal right in the matter. The Chairman of the Commons Preservation Society said the difficulty had been created by the action of the Government; and if they wished to retreat in a proper manner, the best thing to do would be to follow the course suggested by the hon. Member for Greenwich. He would like to ask the Attorney General whether, under the decree affirmed by the Lords Justices, the Crown had any power to interfere with the rights of the commoners?—and, if the Crown had not, it was not fair to say that the matter was in litigation, as it only remained for the Government to show their obedience to the law, and not to invade the rights of the commoners. Certainly, a more satisfactory statement ought to be made on the part of the Government than had been made by the Secretary of State for War.

THE JUDICATURE ACTS — INCREASE OF THE JUDICIAL STAFF.

OBSERVATIONS.

Mr. OSBORNE MORGAN, on rising to call attention to the great and increasing delays which have arisen in the administration of justice under the recent Judicature Acts; and to move

> "That, in the opinion of this House, the evil can only be adequately remedied by an increase in the strength and of the judicial and administrative departments of the High Court of Justice proportioned to the increase in the work imposed upon them,"

said, that whatever differences might exist as to the Resolution which he had placed upon the Paper, no one could doubt that the time had arrived when we might fairly and usefully review the operation of the Judicature Acts. These Acts had been in operation nearly a year and a-half, as legal years went, and it was not therefore too soon to take stock of their operation, and see how far the predictions which had been indulged in when they were under discussion had or had not been realized. Now he was bound to say that in one respect the working of the Acts had very agreeably disappointed public expectation. It was said that the Judges could not safely be trusted to administer the new system until they had been educated up to its level. As far as his experience went no prediction could have been more unfounded. The Judges had set to work honestly and loyally to carry out the new Acts, both in the letter and in the spirit—both in the rules which they had framed, and in the mode in which they construed the rules and the Acts themselves; and the consequence was that the new system had worked far better and more smoothly than anyone could have anticipated. How then, it might be asked, was it that everyone was complaining already of "the breakdown of the Judicature Acts?" That was a question which he would endeavour to answer before he sat down. Now, some of his hon. Friends might remember that, when the Acts were under discussion, he had pointed out that the result of improving their judicial system in the way they proposed to do, would be to attract to the Courts business which had never found its way there before; and, in that event, was it not to be expected that our existing machinery, which had been found barely sufficient for our existing wants, would break down under the additional strain thus imposed upon it? That apprehension was founded upon an assumption no doubt paradoxical in itself, but which was abundantly justified by experience —namely, that, up to a certain point, the result of every improvement in the administration of justice was not to diminish but increase litigation. The fact was—humiliating as it was to admit it —that there were until very lately in England thousands of persons who deliberately consented to have their pockets picked, simply because they were more afraid of the law than of the law breaker. And, really, when he looked back at the reports of cases decided some 20 or 30 years ago, and saw how the ingenuity of Judges and counsel was strained to muddle away the merits of a case—how every importance was attributed to technicalities of pleading and practice, and none whatever to the right and justice of the case, he could scarcely wonder that a man having to choose between injustice and that sort of justice, should deliberately come to the conclusion that upon the whole injustice was the lesser evil of the two. Well, but they had changed all that. It was scarcely too much to say that recent reforms had made our judicial system, once the most technical and artificial in the world, one of the most simple and certain. For the first time in its history a suitor might feel confident that he would not be turned out of the Temple of Justice, because he had got in by the wrong door; and that, if his case had any "merits," those merits would not be overlooked, and the result might be seen in the increase of business to which he had called attention. Now he was far from thinking that such an increase was matter for unmixed regret. On the contrary, he thought that, so far as it showed that the public were beginning to put more confidence in the administration of justice, it was matter for congratulation. But before coming to figures, he wished to advert to another circumstance which had helped to aggravate the existing block of business in one important branch of the High Court. Before the passing of the Judicature Acts, cases in the Court of Chancery were usually decided on affidavit evidence. Now he knew of no more ingenious process for not getting at the truth of a case than this system of affidavit evidence. But it had one great advantage. It materially shortened the hearing of a case. For a practised eye could easily separate the relevant from the irrelevant parts of an affidavit, whereas such a process of elimination became much more difficult when the truth had to be extracted, bit by bit, from a stupid, or unwilling, or dishonest witness. Now the Judicature Acts had provided that the evidence should be taken, as a rule, *vivâ voce* in all the Courts. But this change, which in the interests of truth was much to be commended, had been purchased at a considerable sacrifice of time, and the result had been that in the Chancery Division they had not only more cases to try, but they occupied a longer time in trying them. Now, he and other hon. Members had pointed out this at the time the Acts were debated, and had also called attention to the fact that the number of the Judges of the Chancery Division had been fixed in the year 1841, at a time when railway companies and joint-stock enterprizes generally were in their infancy, and when the wealth of the country and the materials for litigation were not a third as great as they were now. But they were arguing against the master of many legions, and if they had not the worst of the argument they were sure to have the worst of the division. The fiat had gone forth that they might build their house as they pleased, but they must build it out of the old materials, and the result was to be seen in the figures to which he would now call attention. He wished to premise, however, that in his observations he would confine himself to the Division in which he himself practised — the Chancery Division of the High Court; not but that delays equally scandalous would be found to exist in Westminster Hall; and he hoped that before he sat down some hon. Friend of his would be found to throw light upon that part of the question. But he desired to dwell upon the state of things in the Chancery Division for two reasons—first, because he knew much more about it; and, secondly, because it was sometimes suggested that by some re-adjustment or re-distribution of Business they might get more work out of a Common Law Judge. He believed that these suggestions were for the most part illusory. It was the old story of two persons trying to cover themselves with a blanket only large enough for one. If the one pulled it on to himself, the other was necessarily left out in the cold. But, be that as it might, no such suggestion could be made as to the Chancery Judges. They worked as hard as men could work; they tried every question, whether of fact or law, as it came before them; their Courts were open practically all the year, and Parliament had lately shown its appreciation of their mode of conducting business by requiring the other Judges to adopt it. Now, what was the state of things in the Chancery Division? Before the Judicature Act came into operation the average number of cases waiting for hearing in the four Courts of the Master of the Rolls and the three Vice-Chancellors at the beginning of each term was 300. At the beginning of the year 1875 it was 301; at the beginning of this year, when the Acts had been in operation a year and a-quarter, the number had risen to 566, and the day before yesterday it was 698. But what was most significant was the gradual and progressive increase in these numbers. At the beginning of last year it was only 332, at Easter it had risen to 457, in June to 502, at Christmas to 566, and now it was 698! Well, but were these cases lighter? On the contrary, from a cause to which he had already referred, they were much heavier. And the strength of the Judges, instead of being increased, was actually lessened, for under the old system the Lord Chancellor and Lords Justices were members of the Court of Chancery, and one of those learned Judges could, and very often did, sit with great effect to hear cases set down before Judges of the First Instance. But this was no longer possible, for now the Appeal Court formed a distinct tribunal. Indeed, the case was reversed, for one of the four Chancery Judges, the Master of the Rolls, was now a Member of the Appeal Court, and was actually sitting in that Court at this moment, his own Court being of course shut up. So that, instead of as before borrowing a Judge from the Appeal Court, the Chancery Division might be required to lend a Judge to that Court. Now let him ask this question—For 10 years before the Judicature Acts the average number of causes and matters yearly originating in the Court of Chancery had been 2,500; last year it was 5,111. Now, if four Judges and their Staffs were barely equal to dispose of 2,500 cases, how could less than four Judges and their Staffs be expected satisfactorily to dispose of 5,111? So that what they were attempting to do, in fact, was to put a quart of water into a pint pot, and that was a process which could not be satisfactorily accomplished even by Act of Parliament. They had all heard of the unfortunate damsels who, for sins done in the flesh, were condemned in another world to fill a tub which leaked as fast as it was filled; but he thought the task imposed upon their judicial Danaidæ was at least as cruel, for they were required to empty a tub which filled twice as quickly as they could empty it. But how did all this work in practice? for that was what the House would wish to hear. Why, simply thus—the Vice Chancellors were at that moment hearing cases which were set down for hearing 8, 10, and 12 months ago. Here was a letter written to him by a friend, in whose testimony he could confide, which gave a picture by no means exaggerated of a state of things which must be seen to be believed—

> "I have a case in your own Court which has been waiting for hearing ever since March or April last, and it is still quite impossible to say when it will be reached. It only involves a short point of construction, and will not take half-an-hour when it comes on; but the parties will have had to wait almost or quite a year for this half hour of judicial time. In the meantime, it is impossible to administer real and personal property of considerable amount, to the very great inconvenience of all concerned. Law taxes may be as bad in principle as Bentham contended; but most suitors would find them a lesser evil than the present delay."

Well, but suppose this "half-hour of judicial time" secured at last, and a decision pronounced, there was still the Registrar's office to be passed, where a further delay of a month or six weeks took place, and then, if accounts had to be taken, came the most trying delay of all, that in the Judges' Chambers. He was told that it took at least a fortnight to get an appointment before the chief clerk, even for the most ordinary purpose. Let him read a letter received by an eminent firm of solicitors practising in the county represented by his hon. Friend opposite, the Member for East Sussex (Mr. Gregory), from their London agents, respecting a case in their office. It was dated the 14th January, 1877—

> "The order on further consideration made in May last has only within the last three weeks been obtained from the registrar. The share in which Mrs. S. is interested is directed to be carried over to a separate account, with liberty to any party interested to apply. But before this can be done the costs must be taxed, the whole fund arranged, and the inquiry No. 2 answered. The contest with Mr. S.'s assignee will then have to be gone through. At the present time it certainly appears to us that at least a year must elapse before Mrs. S. can touch a single penny of the fund."

And this in a country in which time was supposed to be money. Why, half the rascals in England would soon be presuming on this state of things to resist any just claim that might be made against them. Only that morning a man had told him that he had been compelled to abate £500 of a claim to which he was as justly entitled as he (Mr. Morgan) was to his seat in that House, simply because he would have had to have waited two or three years before he could have established it, and the delay would have been ruin to him and his family. Everyone admitted the scandal—Judges, counsel, solicitors, and suitors. He ought, perhaps, not to have said every one, for there was one most distinguished exception, the present Master of the Rolls. Sir George Jessel was, perhaps, the most rapid, acute, and clear-headed man who had ever sat upon the English Bench; but the value of his testimony in the present instance was a little impaired by one prominent trait in his character. He was a man who, as he himself had said, never entertained a doubt and never changed an opinion. Now those who remembered how strenuously Sir George Jessel, when Solicitor General, had opposed any increase in the judicial staff, would be prepared to hear that he had not altered his views on the subject. But even he could not deny that there was a block in the Chancery Division; in fact, if his information was correct, there were at this moment 134 causes standing for hearing at the Rolls. But what Sir George Jessel was reported to have said was, that if it had not been for the Common Law actions which were brought into the Chancery Division, and if suitors would only take those causes elsewhere there would be no block in the Chancery Division. That was to say, if the Judicature Acts had never been passed, if suitors had not acquired the invaluable privilege of taking their causes to any Court which they preferred, and if, too, the other Courts were not themselves so crowded as to repel rather than attract them, then there would be no block in the Chancery Division. Was not that very much like saying, that if Napoleon Bonaparte's father had never happened to come across Napoleon Bonaparte's mother there would have been no battle of Waterloo. They must deal with things not as they might have been, but as they were, and as they themselves had made them. Well, then, the grievance being admitted, what was the remedy? Could they spare a couple of Judges from Westminster Hall? ["No, no!"] There were the suggestions embodied in the Amendment of his hon. and learned Friend the Member for Cambridge (Mr. Marten). But to say nothing of the fact that some of them would not hold water in practice, they seemed to him too elaborate and specific to be dealt with on such an occasion as the present. Then there was the suggestion of his hon. Friend the Member for Newcastle (Mr. Cowen), to increase the jurisdiction of the County Courts. His hon. Friend might be sure that when that proposal came before the House it would receive from it the consideration which every proposal emanating from him both merited and obtained. It would perhaps be said that as they had given unlimited jurisdiction to the County Courts in Bankruptcy, there was no reason why they should not give them unlimited jurisdiction in other matters. Having read, however, very carefully the reports of the numerous Bankruptcy cases decided by County Court Judges, and brought on appeal to London, he felt bound to say that he thought the less that argument was pressed the better. Besides, he would throw out a hint for the consideration of his hon. Friend. The County Court Judges were at present doing excellent work as *juges de la paix;* but if you once threw upon them the enormous work which such an extension of jurisdiction would imply, you would paralyze their action at once. In fact, if you gave unlimited jurisdiction to the County Courts, one of two things must follow; either the business which at present overwhelmed the Superior Courts would, or it would not, gravitate to the County Courts. If it did not, the evils of which he complained would remain untouched. If it did, he would wager anything that in a year there would be twice as great a block of business in the County Courts as they now found in the Superior Courts, simply because those Courts, unless their whole character was altered, would be utterly unprepared to cope with the influx of business coming to them. Besides, was it quite fair, when they had just made an experiment on a vast scale in one direction, and had found that that experiment was only prevented from working admirably, because they had not given it fair play by increasing their judicial staff, suddenly to reverse their steps and start off in an entirely different direction. There remained, therefore, only the very simple remedy which he had suggested. Now, what was that remedy? He was addressing several men, who were the proprietors or managers of large commercial undertakings. He would ask them this question—If any of them found that he was short of hands what would he do? Why, of course he would take steps to get more hands, and that was all he asked of the Government to do. Against such a proposal two arguments, and two only, had been urged. It had been said, first, that, if they had more Judges, they would have to put up with inferior men on the Bench; and, secondly, that the country would not stand the expense. As to the first argument, he felt it very difficult to treat it seriously. He had hitherto understood that when a vacancy arose in the judicial Bench the difficulty in filling it up arose rather from the number, than from the paucity of the competitors for it, and he had even heard it whispered occasionally that there were times when the Bar was showing itself too strong for the Bench. As for the other argument it no doubt was entitled to some consideration, particularly from a Member of the Party which had made retrenchment one of its watchwords. The salary of a Judge was £5,000 a-year, and, looking to the value of the article, he could hardly say it was dear at the price. At any rate, he much questioned whether it would be politic to reduce it. Now it was said that each new Vice Chancellor, with his Staff of chief clerks and registrars, would involve the country in an outlay of twice or perhaps thrice that amount. Granting for a moment that the argument was a sound one in itself, he had an answer to it. It was founded on a mistake of fact. Astonishing as it might seem, it was the fact that the Judges in the Chancery Division were to a great extent, if not entirely, self-supporting. For, on adding up the fees taken in the offices of the Chancery Court for the year ending October 1875, he found that they came to the enormous sum of £119,639. Making a liberal deduction for the fees earned by the Appeal Court, which were not distinguished in the Estimates, he might safely assume that at least £90,000 was in 1875 earned by the four Judges of First Instance and their attendant Staffs. Now, the Estimates for 1876 had not yet been published, but, looking to the large increase in the orders made (1,600 in one year) it was only fair to assume that these figures would now be raised to at least £100,000. Dividing this sum between the Master of the Rolls and the three Vice Chancellors, it would give £25,000 as the amount earned by each Judge and his Staff. But the most exaggerated estimate of the cost of a new Judge which he had yet seen put it at £20,000 only, so that, as it was only fair to assume—looking to the enormous amount of work waiting to be done—that a new Vice Chancellor would have at least as much to do as his Colleagues, an additional Chancery Judge would not only pay his way, but would be a source of revenue to the country. He really was ashamed to urge such an argument. He thoroughly agreed with old Jeremy Bentham, that the administration of justice, civil as well as criminal, was the business of the whole Commonwealth, and that they had no more right to make a suitor, except as a member of the community, pay for the Judge who was to hear his case than they had a right to put a special tax on a householder in order to pay for the policeman who guarded his street. And he would not have urged such a consideration at all, if it had not been from a very remarkable, and as he thought a very unfortunate, speech made by no less a man than his right hon. Friend the Member for Greenwich (Mr. Gladstone) two years ago, in which he had charged the members of the Legal Profession, who were agitating for additional Judges, with making "an assault upon the public purse." It might be some consolation to the right hon. Gentleman to know that, so far from proposing to make an assault upon the public purse, he (Mr. Osborne Morgan) was actually trying to put money into the pockets of the Chancellor of the Exchequer. Unfortunately the right hon. Gentleman had no practical experience of such matters. He had never been a suitor himself, and it was astonishing to see the equanimity with which we bore the misfortunes of others. "He jests at scars who never felt a wound." Sydney Smith once said that railways would never be made safe until they had killed a Bishop; and, on the same principle, it might be difficult to get the House to give to this question of the "law's delay," the attention it deserved until some prominent Member of the front benches had learnt by practical experience what it meant. He knew that the subject was not altogether a popular one; indeed, the moment a lawyer got up to propose any addition to the Judicial Staff, he was always credited with having some personal end in view. He appealed, however, to his hon. and learned Friends around him not to be deterred by the fear of any such imputations from speaking their minds. He appealed still more to the lay Members of the House, particularly to those who were engaged in trade or commerce, to make the subject their own. For it was not a lawyer's question; it was a suitor's question, a merchant's question, a banker's question; in fact, it was a national question. Let them look the evil in the face. To deny it was impossible. To remedy it was, in his opinion, both easy and simple. If they approved of the remedy which he suggested, let them second his efforts; if they disapproved of it, in Heaven's name let them at least propose something better.

MR. MARTEN, who had given Notice of his intention to move an Amendment on the Resolution of the hon. and learned Member who had just sat down (Mr. Osborne Morgan), pointed out that in the course of the discussions on the different Judicature Bills the Government had at first consented to increase the number of the Judges, but that afterwards they yielded to the great pressure that had been brought to bear upon them, and had decided against any increase in their number being made. The number of Judges of First Instance in the Chancery Division of the High Court of Justice was only four, whereas there was business enough for seven. The increase in the number of causes in that Division since the Judicature Act came into operation had amounted to about 75 per cent, there being now an average of about 140 causes before each of the four Judges, whereas before that Act was passed the average number was only 84. He admitted that while under the new judicial system there had been a sudden and a necessary increase of business, yet it would likely happen that the congestion would be got rid of as soon as the Act settled down into proper operation. He thought, therefore, that existing institutions should not be dislocated to a great extent unless it could be shown that substantial improvement could be effected. There was an indisposition on the part of Government to increase the number of Judges, and therefore the solution of the difficulty would be to separate the duties of Chief Judge in Bankruptcy from those of the third Vice Chancellor, leaving the latter free to attend to Chancery business only. A Chief Judge in Bankruptcy, assisted by a competent number of registrars, would be able to get through all the business there, even when, as he proposed it should be, the whole of the winding-up jurisdiction got transferred to that Court. The annual cost of a Vice Chancellor with a full staff of officers would not be less than £16,000 per annum; and, therefore, to avoid such expense, although he would appoint an additional Chancery Judge, he would make him as assistant to the Master of the Rolls, which was the more necessary, as the Master of the Rolls, being a Judge of the Court of Appeal, was occasionally taken from his own Court to sit in the Court of Appeal. He also suggested that a moderate fee for hearing before the official referees should be substituted for the present high rate of fees, so as to allow of full advantage being obtained by the public on the institution, under recent legislation, of official referees; and that the jurisdiction of the County Courts should be extended, so that the limit of pecuniary amount might be the same in Common Law as in Equity. With regard to criminal business he would suggest that the principle of the constitution of the Central Criminal Court should be applied throughout England and Wales, and that criminal business requiring the presence of a Judge of the High Court of Justice should be taken in connection with the local quarter sessions, and that a revision should be made of the classes of cases proper to be tried before Judges of the High Court of Justice and before the court of quarter sessions respectively, so that only the gravest cases might be reserved for trial before the Judges of the High Court. Then, with respect to the civil business on circuit, he would suggest that there should be one list of cases for the circuit, each case entered being marked on the list for the place where the trial was desired, and the Judge of the High Court proceeding from place to place as the amount of the business at each place permitted, and that commission days for civil business should be abolished. Such a system could be easily and conveniently worked out in these days of railway and telegraphic communication. Then his concluding suggestion was that, as far as practicable, and in order to obviate the objections raised by the hon. Member for Hull (Mr. Norwood) to the existing state of affairs, arrangements should be made for the holding of simultaneous sittings at Guildhall and at Westminster for the trial of civil cases—a course by which great advantage would be secured to the suitors and to the public.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. COLE regretted that the question should have come on at such a time, when all the Common Law barristers were on circuit. He did not personally know much about Chamber business, but understood that it was sometimes impossible for counsel to be heard until two or three days after a cause was put down for hearing. And what was the reason? Why, the great tendency now to try causes in London. Under the Judicature Act all local venues had been abolished, and hence causes were removed to London which should properly be tried in the country. He was sorry at the course the Government had taken in reducing the number of Judges at a time that the number of cases set down for trial at Westminster Hall and at Guildhall had enormously increased. The consequences were most serious to suitors. Formerly there were three, and more commonly four, Judges sitting *in Banco;* but that was altered by the new Judicature Act; and now, while the sittings *in Banco* were reduced to two Judges, and even to one Judge, so great was the increase of the business of the Courts at *Nisi Prius* that the number of Judges was wholly insufficient, and the authority that had the arrangement of the circuits was obliged to take Judges from the Court of Appeal and send them on circuit, and so the Court of Appeal had to cease its sittings. What would be the consequence of such a state of things? Why, that in a short time they would have such a crop of appeals that the Court of Appeal would become overwhelmed with business from every Court in the country, for it was now practically a Court *in Banco* for all cases tried. Among the various defects in the administration of the law was a very serious one affecting the interests of suitors in the City of London, where all the great mercantile causes were tried, where only two Judges were now sitting. The cause list had vastly increased, and suitors, wearied out by delay and uncertainty as to when their cases would come on for trial, made up their minds to withdraw from the prosecution of their suits and to submit to great loss. The real fact was that the Judicial Bench was short-handed. He might mention the case of the Lord Chief Justice of England who was so ill, while in the discharge of his judicial duty, as to be unable to join his circuit for several days; but seeing the great inconvenience that must ensue to suitors, juries, and witnesses, the learned Judge, though very ill, went down to Winchester and joined the circuit, although quite unfit to travel. Parties were put to the greatest inconvenience, expense, and loss of time, by the scarcity of Judges to deal with the vastly increased number of causes. The question was, how were they to get over the present state of things? The only way that he could possibly see to meet the difficulty was to increase the number of Judges. As to the expense, it seemed to him they would pay themselves. A distinguished Chancery Judge —Vice Chancellor Hall—had said to him—"Talk of the expense of Judges! Why, I am earning at the present moment double my salary by the fees that are paid to my Court." But even if it was otherwise, was the judicial business of the country to be stopped in order to save a few thousand pounds? With regard to the trial of prisoners on circuit, the winter arrangements had been exceedingly inconvenient, and on the Western Circuit prisoners had been brought from Bodmin, and had to remain at Exeter a week, being obliged to be there at the commencement of the assizes, in order that bills might be sent before the grand jury. He did not think the plan of the hon. and learned Member for Cambridge would work satisfactorily, and believed that the best plan would be to restore the number of Common Law Judges.

THE ATTORNEY GENERAL, while acknowledging that the discussion which had arisen was one of a very interesting nature, was doubtful whether it would be useful to prolong it, for it was a subject on which it seemed to him there was likely to be a very general agreement. Beyond doubt there was a great block of business, and the question was how to deal with it. His hon. and learned Friend who had introduced the subject (Mr. Osborne Morgan) had spoken with much earnestness and ability, but probably without exaggeration, and his statement as to the block of business in the department of the High Court with which he had more particularly to do was entirely borne out by the testimony of a very temperate memorial which had been laid before the Lord Chancellor by the Incorporated Law Society. Taking the statements of that memorial there was certainly a much greater arrear of business in the Chancery Division than formerly, and the causes had risen from an average of 2,500 during the 10 years from 1864 to 1874, to 5,111 at the present time. Various causes had contributed to that increase of business. People having rights were more eager to embark in litigation than formerly. Since the Judicature Act suitors were aware that they could have their causes tried before a single Judge, with the great advantage of having the evidence taken *vivâ voce.* There appeared to be an opinion that a great many civil causes could be better tried by a single Judge, the evidence being taken *vivâ voce* than before a jury. A great many causes were now taken to the Chancery Division, where the evidence could be taken *vivâ voce*, as in the Common Law Division. The Master of the Rolls, in dealing with this matter, had called these Common Law cases and treated them somewhat as intruders. They might be Common Law cases, but they came to the Chancery Division, and those who brought them had the right to have them tried there, and it must be borne in mind that if the business of the Chancery Division had thereby increased, the business of the Common Law Division had proportionately decreased. They had to be dealt with by the Tribunal before which they were brought. He was sorry to confess that there was a very considerable block in the Chancery Division, and it was difficult to know how to deal with it. The block arose, in the first place, from the want of judicial strength; and, secondly, it arose from the want of strength in the subordinate offices. He thought the suggestion made by the hon. and learned Member for Cambridge (Mr. Marten), to appoint an additional Vice Chancellor, was sensible and reasonable. That would give some increase of strength, and if an additional Judge were appointed, he might deal with those causes which had come to the Chancery Division, as assistant to the Judges of that Division. It was under the consideration of the Government to increase the judicial strength in the Chancery Division. They were also earnestly considering whether some measures could not be taken to relieve the pressure of business existing in the Judges' Chambers in that Division. It had been expected that a very considerable amount of relief would be afforded by the appointment of referees. Four gentlemen were appointed referees and cases might go to them. It had happened, however, that they had not had much work to do, and the reason might be that which was indicated by his hon. and learned Friend the Member for Cambridge—namely, that they were authorized to charge a certain fee per hour before sitting, and that this had been distasteful, and perhaps unjust, to suitors. He had come to the conclusion that if the fees were diminished or abolished, recourse would be more frequently had to the referees, and if they were not otherwise fully engaged, they might be employed in getting rid of the surplus business at Judges' Chambers. In regard to the vacant Registrarship, no doubt it would be necessary for the Lord Chancellor to fill up the appointment. The Government desired to remove the block of legal business by an increase of judicial strength, if the object could not be attained otherwise; but it must be borne in mind that the system of trying cases by one Judge had hardly as yet had a fair trial. He was not sure, indeed, that that system would not ultimately result in a great saving of time and of official strength. The block chiefly arose from the large arrears of *Nisi Prius* business. The Court of Appeal had turned out remarkably satisfactory, the cases being dealt with speedily and without delay; but there were great arrears of *Nisi Prius* business, and that was a problem which no doubt it was very difficult to solve. Latterly there had been cases that had occupied a very considerable time, such as the trial of the *Franconia*, in which 13 Judges were engaged, and a case before the Privy Council lately, in which 10 Judges had been employed. It was hoped that when the system came into full operation a sufficient number of Judges would be at liberty to deal with *Nisi Prius* business and then they might expect to see the arrears disappear. He threw it out as a suggestion that Judges would save a great deal of valuable time if they would trust more to the shorthand writers' notes, instead of writing out their own notes, in every case wherein they were required. He also thought it would cause a great improvement and additional saving of time to have shorthand writers employed in the *Nisi Prius* Courts throughout the country to the same extent as they were in Parliamentary Committees, and that opinion had been confirmed in a conversation he had had on the subject with an eminent *Nisi Prius* Judge. He did not say that the Government were considering the proposal to increase the number of the Judges in the Common Law Divisions, though, of course, if, after a fair trial, the arrears were found to be still increasing, there would be nothing for it but such an addition to the number of Judges. Referring to the further suggestions of the hon. and learned Member for Cambridge, he confessed he did not like these constant alterations. The system had been put upon a fresh basis by the Judicature Acts of 1873 and 1875, and it would be better to see the working of those Acts before making further changes. He did not approve of the proposal for a separate Judge in Bankruptcy, thinking it undesirable that a Judge should be kept to one class of business. The jurisdiction of the County Courts could not be extended without a great deal of trouble and many complications; and as to the suggestion in regard to the criminal business, he had a great dislike to making the criminal business subordinate to the civil. It was of immense importance that the criminal business of the country should be taken before the Superior Judges. As to the commission days, it was not a fact that they were wasted, and as to the last suggestion for continuous sittings at Guildhall and Westminster, he considered they would be of great inconvenience to the Bar, in making counsel run backward and forward between the Courts. It might be possible to make some arrangements of that kind when all the Courts were brought under one roof, or even before, when they had ascertained fully the working of the new system. He trusted his explanation would be satisfactory. He acknowledged, on behalf of the Government, the existence of the evil, and promised that they would do all in their power to remedy it.

Motion made, and Question put, "That the Debate be now adjourned."—(*Sir George Bowyer.*)

The House proceeded to *divide*:—

Mr. Parnell was appointed one of the Tellers for the Ayes, but no Member appearing to be a second Teller for the Ayes, Mr. Speaker declared the Noes had it.

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

INCREASE OF COMMITTEE.

SIR **MICHAEL HICKS - BEACH** moved that the Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill do consist of 17 Members, and that Mr. Ion Trant Hamilton and Mr. O'Shaughnessy be added to the Committee.

SIR **WILFRID LAWSON** asked why the Committee was to be increased?

CAPTAIN **NOLAN** thought it desirable that the hon. Member for Limerick (Mr. O'Shaughnessy) should be added, as he was the Representative of a large constituency. It was quite possible what might suit the city of Dublin might not suit the smaller towns of Limerick and Waterford, and therefore it was absolutely necessary that one of those two towns should be represented on the Committee.

Motion *agreed to.*

Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill to consist of Seventeen Members:—Mr. ION HAMILTON and Mr. O'SHAUGHNESSY *added* to the Committee.

House adjourned at a quarter before One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 26th February, 1877.

TURKEY—THE TREATIES OF 1856-1871.

MOTION FOR AN ADDRESS.

LORD **CAMPBELL** rose to call attention to the Correspondence upon Turkey; and to move—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will adopt such measures as appear to be the best calculated to prevent hostilities, to secure adherence to the Treaties of 30th March and 15th April 1856, so far as the Conference of 1871 has re-established them, and to promote the welfare of the races subject to the Ottoman Empire."

Those who had followed the course of events during the last few months would have observed that the line of action taken by the European Powers did not go beyond the preservation of peace. Now, he contended that the Treaties of the 30th March and 15th April, 1856, as they were modified by the Conference of the Powers of 1871, were still binding. He had observed that during the last fortnight it had become the fashion to assert that the Tripartite Treaty of 1856 was inoperative, inasmuch as England was not obliged to interpose unless called upon by France and Austria to act. Now, it was tolerably certain that this contingency would never happen, and, therefore, it was a foregone conclusion that this Treaty was null and of no effect. But he (Lord Campbell) altogether disputed that position. Vattel had laid down a whole series of principles for deciding doubtful cases similar to that now pending; he denied that unless the other contracting parties to a Treaty called upon a third party to it to act the Treaty was void and of non-effect. He said that no single contracting party had a right to interpret a Treaty at its own pleasure; again that every interpretation that led to an absurdity was to be rejected; and again that such an interpretation as would render a Treaty null and without effect was inadmissible, and that it must be so interpreted as to give it its effect, so that it should not be vain and illusory. And Lord Palmerston had left in writing his opinion that Treaties could not be rendered null and void by such a process as that, and had contended that no party to a Treaty was at liberty to make it null and void at its own pleasure, and the last principle laid down by Vattel which he should cite was, that if either of the contracting parties could and ought to have explained himself and had not done so it must be to his own damage. These principles lay at the root of the present question. Great Britain, as the most interested and the most determined Power in the Eastern Question, was entitled to address France and Austria calling upon them to join her in enforcing it. The Treaty, therefore, was in full force. If there should be no response to that appeal—or a negative response—a question would arise; but on that he would not hazard an opinion just now, as that question had not yet arisen. But if France and Austria were hopelessly incapable of interference, what followed suggested the idea that Great Britain had not exerted her proper influence in the councils of the world; but no one except in sarcasm or pleasantry would contend that feebleness of policy dissolved the strength of Treaty obligations. The remark of the noble Duke the other night, to the effect that Treaties were to be exposed to the destructive criticism of these days was one which neither Parliament nor the public would countenance. He believed that, remembering the way in which many years ago the noble Earl now at the head of the Government (the Earl of Beaconsfield) vindicated the guarantee to Schleswig, the country might rest assured that he would uphold the integrity of Treaties. It was argued by some persons that the Bulgarian atrocities had relieved this country of her engagements towards Turkey. The misapprehension on that point had perhaps subsided. Then it was said that the refusal of the Turks to adopt the recommendations of the Conference had completely put an end to those engagements. He accepted the Conference, though many persons of great sagacity condemned it. It had a tendency to put an end to the Holy Alliance by dividing or submerging that alliance; it had a tendency to accelerate the action of the Porte and to check arbitrary power, and it had prevented the occupation of any part of the Ottoman territory. It was a rainbow after a very long storm, and if it did make it, extended the armistice. The Prime Minister had told the House that the refusal of the Porte was imprudent. On that point he would reserve his opinion altogether; in a few weeks we should be better able to tell. But granting, by way of hypothesis, that it was imprudent, if all the proper steps had not been taken to prevent that refusal, the responsibility would rest, not with the Porte, but with Great Britain, and our Treaty obligations were left untouched. If their Lordships referred to page 43 of the Blue Book, they would find a despatch from Lord Augustus Loftus, in which he stated that Prince Gortchakoff was of opinion that the Conference should be attended by the Ministers of Foreign Affairs of the respective Powers, as the sending of delegates who would have to refer to their Governments would tend to delay. That was so far back as the 15th of August. Had the counsel of Prince Gortchakoff been acted upon great results might have followed. In the first place England would have been represented at the Conference by the noble Earl the Secretary of State for Foreign Affairs. He need not say that he had great respect for the ability of the noble Marquess who acted as Special Plenipotentiary; but the noble Marquess was an utter stranger to the Turks, while the noble Earl was well known to them; he had their confidence during the Cretan insurrection; and, though some of his proceedings since their present troubles had displeased them as being characterized by too much caution, that confidence he still retained, and they knew that he disliked war. Then the arrangement suggested by Prince Gortchakoff would have prevented the presence of General Ignatieff at the Conference. Everybody who knew anything of these matters was aware that at Constantinople General Ignatieff was associated with various calamities to Turkey, and that so recently as May last he found it necessary to surround the Embassy with armed men and retire for a while from the Turkish capital. That General Ignatieff led the Conference to a great extent was clear from the Blue Books, and from his own valedictory speech to that assembly. The adoption of the suggestion of Prince Gortchakoff would have led to the introduction into the Conference of influences likely to win concessions from the Porte, while it would have hindered the entrance into it of a man whose presence must have been a strong impediment to such concessions. In fact, it was inevitable that any Conference at which General Ignatieff took part was doomed to failure. He could not but think that for the failure of the Conference the Porte had no responsibility, and that, in consequence, the refusal of the Porte to the terms proposed by the Powers had not invalidated the Treaties. The agitation arising from the Bulgarian atrocities had led to intervention on the part of the country, which intervention was first manifested in the despatch of the 21st of September. In that despatch intervention was carried to a pitch unheard of in the annals of diplomacy. Therefore, now, if we had the right to intervene in the internal affairs of Turkey, we had the same right in respect of Portugal and Belgium. A right to interfere depended on an engagement to defend; and when the engagement to defend was given up, the right of interference would fall with it. When interference occurred the engagement to defend became more binding; and it might be said that the despatch of the 21st of September surrounded with a solid and impenetrable armour our engagement to defend. But for our Treaties we should have had no more right to interfere between Turkey and her subjects than we had to interfere with the Government of France and the Communists, or the North Americans and the Red Indians, or the Russians and Siberia. It was said—or assumed rather—that Treaties fell with the policy with which they originated, and that since the policy which we upheld by force of arms in 1854 had changed, the Treaties which were the results of that policy had come to an end. On the contrary, he maintained that every object for which in 1854 we resolved to defend the Bosphorus continued at this moment, and that in the lapse of time those objects had been further developed. Twenty years ago if Russia had become a great Mediterranean Power, there would have been still the united Navies of France and Great Britain to counteract her. It was known that at the time to which he was referring those two Navies formed one consolidated element. We were at present near a precipice of war or dishonour. A few years ago we changed the depository of power in this country, and we had now a body of electors on whom taxation did not fall so generally and so heavily as it did on the electoral body created by the Act of 1832. What the sentiments of the present constituency would be in case of a war might be presumed from the feeling of the electoral body of 1832, who after the fighting in the Crimea were not willing to conclude peace with Russia as soon as the Government were. Among the masses of the people of this country there was anti-Russian feeling; but he admitted the exercise of naval and military power by this country was not desirable, and that our only course of action was to endeavour to prevent hostilities in Europe and Asia. There was an impression abroad, and especially in Russia, that the whole body of the Liberal Party in this country had become Russian partizans. The circumstances that had given rise to that feeling were so manifest that he would not trouble their Lordships by pointing them out. Of course, it was well known that the Liberals were not in power, and that there was no chance of their arriving at it; but their social and political importance gave much weight to the opinion which they were supposed to entertain on the Eastern Question. But if such an opinion was entertained, it was clear that Russia with such an element at her back might be much more disposed to engage in an aggressive policy than she otherwise might be. No doubt the impression as to the sentiment of the Liberal Party was unfounded. The history of that Party showed it to be so. In 1791 Mr. Fox opposed the Russian Armament. At the time of the second Partition of Poland in 1815, and at the time when the Holy Alliance was formed, the Liberal Party manifested strong anti-Russian tendencies. These were displayed again at the time of the Polish War in 1830, and at the time of the Russian intervention against Hungary in 1848. At last that Party determined to wage war against Russia in 1854, though Mr. Cobden, in the House of Commons, and a noble Lord now sitting on the cross benches (Earl Grey), used all their efforts to prevent that war from being undertaken. After the Crimean War, the Liberal Party being in power, Lord Palmerston and Lord Russell, in 1863, united in a diplomatic combination against Russia in the interests of Poland. Up to the time when the Bulgarian atrocities became known there had been no suspicion that the Liberal Party was on the side of Russia; but after the vague and exaggerated language which had been used since then it was no wonder that the politicians of St. Petersburg should have arrived at the conclusion—though it was one altogether unfounded—that the Party which had by development become more and more of a barrier to their aggression was suddenly gone over to the opposite extreme. The Russian politicians, no doubt, thought that Providence had intervened in their favour, and that an aggressive policy might be resumed with impunity when so great and historical a barrier to their aggressions had been removed. He ventured to think that a Motion such as that of which he had given Notice, coming from the Opposition side of the House, would tend to dissipate that illusion. He regretted that it was not in the hands of some one of more importance than himself—he should have liked to see it in the hands of such a personage as Lord Napier and Ettrick; but its adoption by the Party would give it all the weight desirable for such a Motion. He wished to refrain from criticism of the Government, for in politics, as well as art, he had always been of opinion that criticism soared and execution grovelled. But, as on a former occasion he refrained from criticism, and he consequently found himself between taunts on the one side and smouldering satisfaction on the other, he wished to refer to some parts of these proceedings as furnishing a new basis for argument for his Motion. He thought many fantastic approvals and unwarrantable charges had been brought against the Ministers. The first error which it occurred to him might be charged against them was that so far back as 1874 no efforts seemed to have been made to avert the union of the three Northern Powers which began in that autumn. Another deficiency, more than an error, in his opinion, was that during the February, March, and April of last year no exertions seemed to have been made in order to win over to our views the authorities at Berlin. A third objection he had to make came from the Blue Books. He found that in the despatches the noble Earl had used expressions which he could not but deem imprudent. The noble Earl—no doubt with the best intentions—had indulged in statements that in no case was he prepared to act upon the Treaties. He could not help thinking that such language had a tendency to lure Russia into a warlike attitude. The effect of this language had been in some degree counteracted by the speech of the Prime Minister on the 9th November. The *prestige* of the British Government required to be increased among diplomatists if war was to be averted. He would recommend his Motion as having a tendency to give them more distinctly that *prestige* of which they stood in need. If war between Russia and the Porte broke out, they would have to choose between a dangerous course and a humiliating attitude, and therefore the true line of policy for this country was to prevent hostilities in Europe or in Asia, and no amount of influence from the bench below, or of the Russian party in this country ought to bar their acquiesence in the Motion. He could not deny from some of the contradictory opinions which had been expressed, that contradictory opinions existed among Members of the Government; there was a certain variation of language and expression. He might therefore be permitted to express opinions he would otherwise reserve as to the position of the country and the steps which most required to be taken on this subject. The first stage he would venture to suggest was that the excited hordes who had invaded the precincts of the Eastern Question in the interest of Russia should be driven out. They told the country that they were its concentrated intellect—he would retort upon them that they were the condensed servility and embodied madness of the country. The next step was, that the line, whatever it might be, that governed the foreign policy at the time of the Berlin Memorandum should re-establish its ascendancy in the Cabinet. His view was that it was the duty of the Government to proclaim their adherence to the Treaties so far and so long as Parliament enabled them to do it. The only basis upon which they were entitled to ask for a single shred of Ottoman reform was founded on the advantages we had secured for Turkey by the blood and treasure we had poured out like water in the Crimean War. It was with perfect confidence that he submitted his Motion to the House, and with the firm conviction that it would secure the precedence of which they stood in need, the mind and disposition without which that precedence would be useless. The noble Lord concluded by moving for an Address.

Moved that an humble Address be presented to Her Majesty, praying that Her Majesty will adopt such measures as appear to be the best calculated to prevent hostilities, to secure adherence to the Treaties of 30th March and 15th April 1856, so far as the Conference of 1871 has re-established them, and to promote the welfare of the races subject to the Ottoman Empire.—(*The Lord Stratheden and Campbell.*)

EARL GREY: My Lords, this Motion is not one which it is possible for the House to accept. It is open to this objection—that it implies that unless we express our opinion on the matter by way of an Address to Her Majesty, Her Majesty's Advisers will not take those measures with reference to the present state of affairs in the East which this House believes ought to be adopted. If the House really does entertain that opinion, and if it has so much distrust of those to whose hands the conduct of those affairs is committed, it is bound to express that opinion clearly and distinctly. If, on the contrary, it does not entertain that opinion, I am sure your Lordships will agree with me that it would be imprudent and inopportune, as being calculated to weaken the hands of the Government, for us to agree to a Motion that would bear an interpretation of that kind. For that reason, my Lords, I, for one, cannot concur in the Motion of the noble Lord. I do not intend on this occasion to follow the noble Lord in the observations he has addressed to the House—although upon some points I am much inclined to agree with him. My object in rising is to address to the House some remarks upon the general questions which the noble Lord has brought under our notice; and I wish to do so the more because, when the subject was under discussion last week, I abstained from taking any part in the debate, being painfully conscious that my powers of addressing your Lordships are not what they were. I did not think, under the circumstances, that I ought to endeavour to take part in so important a discussion. I hope, however, that I may now be permitted to avail myself of this opportunity of making a few remarks upon this subject, although I am aware that they will be both desultory and imperfect. In the first place, I cannot help saying that in the course of that debate there appeared to me to be a want of appreciation of the great importance of averting the fall of the Ottoman Empire. I do not dispute the statement of the noble Duke (the Duke of Argyll) that there has been great misgovernment in the Turkish Provinces; on the contrary, I fully concur with him on that point, although I think that there has been some exaggeration with regard to it. But bad as the present state of things there may be now, I believe that it is somewhat better than it was when we entered into the Crimean War to maintain, as we were told, the independence and the integrity of the Ottoman Empire. The noble Lord who has just sat down has expressed himself satisfied with our conduct in entering into that war. I may, however, state that I entertain the very opposite opinion on that subject—that I think now as I thought then—that the war was unnecessary and therefore unjustifiable. I am of opinion that all the blood that was shed and all the treasure that was expended in the course of that memorable contest has had the effect of leaving matters in the East in a worse position than they otherwise would have been. But, although I think that the misgovernment of the Turkish Provinces may, perhaps, have been in some degree exaggerated, still I fully agree with the noble Duke that it formed quite sufficient ground to make us hail with satisfaction any change that was likely to bring about a better state of things. But, before I can consent that any particular course shall be taken towards hastening reform of the Turkish Rule, I should wish to be convinced that it is calculated to bring about the better state of things we desire to see established. Now, on examining this question carefully, it appears to me that the Turkish Empire could not be overthrown at the present time without producing more evil than we seek to remove; because from all the information that has been laid before the House and from the accounts of travellers it certainly does appear that the Provinces of European Turkey are not in a state at present in which they could govern themselves—they are divided by bitter animosities of race and religion, they are generally in a state of the grossest ignorance and darkness, there are few persons to be found possessed of wealth and education, and there is scarcely any middle class: their clergy are ignorant and corrupt—and, in short, there exists in those Provinces at the present moment no single element of good government. I am, on the whole, of opinion that, if the Turkish rule were withdrawn, anarchy and civil war would follow, and that civil war would be followed by European war, which would in turn result in the Provinces falling into the hands of Russia. I, for one, am not of opinion that, even if the change could be peaceably effected, it would be of advantage that the power over the Provinces to which I refer should be transferred from the hands of Turks to the hands of Russians. If your Lordships compare the Turkish Government and the Russian Government in the countries subject to their respective sway I do not think you will admit—certainly, I for one am not prepared to admit—that the advantage is so clearly in favour of Russia as many persons seem inclined to imagine. Can any man, for example, conceive of tyranny more oppressive and outrageous than that which was exercised by Russia over Poland? Taking our own times, can anyone say that Russian government is in favour either of improvement, materially or of civilization, looking at the question from a social or political point of view? The concurrence of testimony is complete as to the universal corruption which pervades every branch of the Government—including the administration of justice. This corruption is as deep and general as that which prevails in Turkey. The more regular and better organized system of Russia does, no doubt, prevent those open acts of lawless violence which are too often perpetrated in Turkey; but, on the other hand, this very organization, and the principles on which it is worked, makes the Government press on its subjects with a crushing and deadening weight very adverse to real progress and enlightenment. Again, though the government of the Turk is bad in many respects, yet when by accident it falls into good hands—into the hands of a wise and honest Pasha—the general system of that government is not unfavourable to progress and enlightenment. It does not interfere with freedom of opinion—and especially with freedom of religious opinion; and that is very different from the state of matters which exists in Russia, where every endeavour is made to suppress all diversity in religious feelings. Once more—another great civilizer is commerce; and your Lordships must be well aware how much more favourable are the principles of Turkey to commerce and industry than the system of Russia. Upon the whole, while I admit—as I have already indicated—that you have not in Russia those violent outbursts of abominable tyranny which occur from time to time in the Turkish dominions; yet, on the other hand, there exists in Russia a system of government which in the long run is not favourable to human advancement, and which does not hold out the same hopes for the future that the Turkish Government might do if efficient steps were taken to correct some of its worse abuses. These are the reasons which make me believe that, quite irrespective of any English interests, it is not desirable to break down the dominion and government of Turkey. And if it be not expedient at once to overturn that power, it seems to follow, as a matter of course, that it will not be wise to interfere more than we can possibly help between the Turkish Government and its subjects. As a general rule—I do not say as an absolute rule, because exceptional cases must arise—it is wrong for one nation to interfere with the domestic concerns of another, either with respect to the form of its government or the manner in which that government is administered. The principle of intervention, if once admitted, is capable of very wide and dangerous application. I am not sure that cases might not arise when it might be applied to ourselves in a manner of which we should very much complain. Your Lordships must know as a fact that the system of intervention has worked great evils in the world. It was that principle which led to the Partition of Poland; it was that principle which led to the disastrous consequences of the Coalition against France in the management of her internal concerns; it was that principle which was the main cause of the 20 years of war and bloodshed which had afflicted Europe; and it was that principle which was the cause of the evils which resulted from the interference of the Holy Alliance in Italy and Spain. These are considerations which have weighed with the wisest and best of British statesmen, and their influence is seen in the fact that those statesmen have for the most part, resisted all proposals for the interference of this country in the domestic concerns of another nation. We invariably refused to interfere in the case of Poland, suffering from the oppression of Russia; we refused to interfere when Lombardy was oppressed by Austria; at a later date we refused to interfere in connection with the excessive tyranny of the Government of Naples and Sicily; and I believe that in all these cases the decision was a wise one. But in the present instance the Government have felt it necessary to interfere between the Porte and its revolted subjects, and I think that in doing so they have been guided by a spirit of wisdom. When it became necessary that measures should be adopted for the purpose of restoring peace in the Provinces of Turkey the Government did right in joining with the other Powers in making representations upon the subject to the Porte. But it appears to me there is one point on which explanation is required. It is this—Why was it, when Her Majesty's Government consented to lay before the Porte the proposals contained in the Andrassy Note, that nothing was also done to show the Turks that, in the event of their listening to the proposals contained in the Note, the Powers in return would agree to prevent the neighbours of the revolted Provinces from giving secret aid, and would also call upon Servia and Montenegro, then in arms against the Turkish Government, to abstain from seizing any territory by force, or taking any further steps, until time had been allowed for the opinions of the Powers and the results to which such opinions could lead had been fully made known? If that had been done there was a fair prospect that peace would have been maintained. But the intervention of Her Majesty's Government was unfortunately one-sided. They addressed the Turks only; for I cannot find any record of anything like an authoritative appeal to the Insurgents of Servia or Herzegovina to come to terms with the Porte. Well, my Lords, I come to another point on which I think that explanation is required. When the war had broken out between Servia and the Porte, in which Servia got very much the worst of it, why, I ask, was the question as to the terms of peace mixed up with another and a totally independent question—namely, as to the measures to be taken with regard to the Insurgent Provinces as a whole? I do not see what Servia had to do with that question. As an exceptional case—although contrary to the general rule—it might have been fit for Europe to endeavour to intervene between the Porte and its subjects; but what claim had Servia—a vassal Province—to be consulted in any way as to what was to be done with the revolted Provinces? Consul Holmes says, in one of his despatches, that there was no connection or sympathy between Bosnia and Servia. It was impossible, he says, for two countries to have less interest in common. What claim, then, had Servia to give any opinion, or to intervene at all with regard to the terms to be granted to the revolted Provinces? If that course had not been taken, peace between Servia and the Porte might, I think, long since have been established. The Porte, impressed by the European Powers, might have conceded the *status quo* as asked for by the noble Earl. And if peace had been brought about, how much of the difficulties which subsequently arose might have been saved! The renewal of the war, which had been suspended for a short time, with all the bloodshed it occasioned—all those long and complicated negotiations with regard to the armistice, which I must say were not greatly to the credit of any party connected with them—all these might have been avoided; and this once accomplished the Powers and Turkey might then have resumed the consideration of the question as to what was to be done with respect to the revolted Provinces. Well, on the 11th of September, the noble Earl the Foreign Secretary addressed a despatch to Sir Henry Elliot, in which he informed him that he had had an interview with the Russian Ambassador, and had told Count Schouvaloff the terms on which peace might be established. Those terms were, as well as I remember, the *status quo*, speaking roughly, as regards Servia and Montenegro, and administrative government in the nature of local autonomy in the case of Bosnia and Herzegovina, and with regard to Bulgaria some measure of the same description, of which the particulars might be discussed. Now, I want to know why it was that those two questions were added to the simple question of the peace with Servia? The despatches of Consul Holmes point out in the clearest manner that Bosnia and Herzegovina were utterly incapable of working any system of elective self-government, and that any attempt to introduce such a system would be a failure and do more harm than good. He said—and it was perfectly true—that what was wanted in those Provinces was a strong and enlightened despotism—that that, in the then state of things was the only practicable form of government. I do deeply regret that this unfortunate idea of establishing local autonomy was proposed. We know from the despatches that it was a condition that specially alarmed the Porte; and having seen what had happened in Wallachia and Moldavia, and with Servia itself, they might well have feared such a condition. I am a great admirer of local self-government; but experience proves that with respect to communities altogether unused to it, the central authority may be unduly weakened without giving any real security for good government to the Provinces to which the privilege is extended. It is a problem not impossible to solve—how in such a case local self-government can be established without those results being produced; but certainly it is one of great difficulty, and I must say I think it was an unfortunate time to suggest it when those Provinces were in actual insurrection, or when insurrection was barely suppressed. I remember to have heard the story—whether true or not I cannot say—of President Lincoln, who—when a proposition was made to him in the course of the Civil War in the United States—said "It is a bad time to swop horses when you are crossing a ford," and that is applicable to the present case. It was, indeed, a bad time to attempt to introduce new institutions into Provinces which were suffering from all the agitation of insurrection, actual or suppressed. The course adopted was certainly one not at all likely to be successful. My Lords, I will now venture to say a few words on the present state of things. I hope, from some words that dropped from the noble Earl the Foreign Secretary the other night that the question of peace between Servia and Turkey is in a fair way of being settled; and I do trust that the Turkish Government will endeavour to arrive at some satisfactory arrangement with regard to this Province. It was said the other night, both by the noble Earl at the head of the Government and by the noble Marquess our Plenipotentiary at Constantinople, that Turkey had been guilty of extreme folly in rejecting two proposals, the refusal of which had caused the failure of the Conference.

The Marquess of SALISBURY said, he did not recollect that his noble Friend (the Earl of Beaconsfield) had made such a remark, and it certainly had not fallen from him. What he had said of the unwisdom of the Turkish Government was directed to their rejection of the terms of the Conference generally, and not to the rejection of these two particular proposals.

Earl GREY: I am certainly under the impression that the Porte had, by rejecting those two proposals, caused the failure of the Conference. There seems little chance of Turkey changing its opinion, but I hope that the Government will consider with the other Powers whether other measures may not be suggested which may equally attain the object they have in view. Is it true that the objections of Turkey to these two peoposals are so unwise as they are said to be? I do not so regard the matter. I will ask your Lordships to consider what would have been the effect of the creation of this mixed Commission? This body would have been composed of the Representatives of the Six European Powers, and it would have interposed between the Turkish Government and its officers on the one hand, and the Turkish population on the other in matters of administration. This body would have been armed with the most extensive powers. It would have been enabled to overrule the Turkish Government on all the most essential points of administration. There was hardly an act of the Government—there was hardly a measure that the Government could have taken — that would not have been liable to be stopped and thwarted by the Commission. Was it not natural that the Turkish Government should have scruples as to the necessity of appointing a Commission armed with such powers? Would the authority thus created have been calculated to promote good government and a vigorous administration of the Turkish Provinces. Those Provinces will require, form any years to come, a firm, vigorous, and consistent administration of the powers of the Government. Was that likely to have been obtained by a Board or Commission representing the Six European Powers? I have always heard it said in this country that a Board is a defective machinery of government; and unless the head is supreme I am much inclined to agree in that opinion. But here we were going to have a Board composed of persons who would have been not only independent of each other, and of equal power and authority, but representing equal and jealous Powers. The result could only be that each Member of the Commission would have considered himself the Representative of the nation by which he was nominated, those nations having jarring interests and conflicting opinions with regard to Turkey. I will only ask your Lordships to consider what chance there would have been of these Provinces recovering their prosperity if they were placed under such a Government? I am old enough to remember how the Government of Greece was carried on 40 years ago, when the European Powers interfered in its behalf. It was never proposed that Greece should be governed by a mixed Commission; but the Powers of Europe—especially France, England, and Russia—endeavoured through their Ministers to direct and guide the internal and domestic administration of Greece. I believe that those three nations had a sincere and honest desire to promote the prosperity of Greece, and that all the measures they recommended were designed with that view. But, unfortunately, the views of the three countries as to what would be good for the Greeks were very different, and the consequence was that the Representatives of these Powers endeavoured to promote their views by obtaining the support of the local authorities. Three Parties were thus formed in Greece — the French, English, and Russian Party — each striving to direct the general course of the Government. As naturally happened, a state of things arose when Party spirit ran high under which every appointment to the various offices, every removal of an officer, and everything suggested to the Government of Greece was discussed, and either opposed or supported, not with reference to the interests of Greece, but with reference to its bearing on the supposed views and wishes of these Powers. Greece was literally torn to pieces by the intrigues of different Parties at that time. As a Member of Lord Melbourne's Administration, I had the opportunity of closely watching the working of a system which I greatly deplored, and I believe it was very much owing to the seeds of Party spirit and of intrigue then sown that Greece did not make the progress she would otherwise have done when the yoke of Turkey was removed. My Lords, I trust that of this proposal of a Commission of national control Turkey may hear no more. My Lords, the other point which was rejected by the Porte related to the appointment of the Governors to the Provinces. With regard to the corrupt choice of the Governors and the practice of continually changing them, I think the Conference hit the real blot of Turkish administration. It is impossible to doubt that there is no one cause to which the mis-government of the Turkish Provinces is more directly owing than the corrupt choice and frequent changes of Governors. This is one of the main causes of the oppression of those who live under the rule of the Porte. A Governor who has obtained his post by corruption naturally endeavours to regain from the people under his rule the money by which he obtained his post. He knows that he may be at any moment displaced by some higher bidder, and it is quite natural that a Pasha should endeavour to screw from the people under him the largest possible amount of money in the smallest possible time. Something must be done to correct this evil, and if what was suggested at the Conference had been accepted by the Porte, I believe it would have accomplished much good. At the same time we must not conceal from ourselves that there is no small weight in the objections to such a proposal. It is undoubtedly true that a system under which a Government could not dismiss its officers when they were disobedient, or manifested incapacity or dishonesty, would not in ordinary circumstances be found favourable to good and vigorous administration. I cannot help regretting that proposals were not submitted for improving the government of the Provinces by means less likely to provoke the opposition of Turkey. It might have been suggested to the Porte to appoint Governors who would command the confidence of the Powers, and that they should not be removed, except for misconduct, without the Powers being informed of the step about to be taken. This would have involved no actual interference with the authority of the Porte. No doubt it would have been found difficult for the Porte to have found suitable men among its own subjects, but it would have been possible for the Porte to have applied to the other Powers, who would have found no difficulty in supplying men competent to govern the Provinces. I have heard it asserted that Her Majesty's Government were wrong in not showing more complete confidence in Russia, and in not acting more in concert with her; but I cannot see any ground whatever for the charge; and, perhaps, if there be ground of complaint it would be in the opposite direction. I concur most heartily with those who say we ought to join with Russia in urging upon the Porte measures for improving the government of Turkey; that we ought not to show jealousy and suspicion of Russia; and that, when she proposes measures of which we approve, we ought to give her full credit for them, and heartily join in promoting them—all that I entirely admit, and that it would not be wise or expedient to manifest jealousy or suspicion; but, at the same time, I must demur to the notion that we are to place blind confidence in any other Power. I cannot help looking back to past events. Your Lordships cannot forget there have been cases in which the British Government has received very express promises from Russia which have not afterwards been fulfilled. I do not doubt that when the Emperor of Russia expressed to our Ambassador such friendly sentiments towards us, and his desire to co-operate with us in producing a better state of things, he was speaking sincerely; but unless even Emperors are men of very unusual strength of will they may have to encounter currents of opinion and passion among their Ministers and persons employed in their armies and civil services which may prove too strong to be controlled; and in the case of an absolute, even more than in that of a Constitutional Government, it is unwise to place too much reliance on what is said by Sovereign or Minister. We must look to their acts. It is by her acts, and not by her professions, that Russia must be judged; and, during the last two years, I cannot say that my opinion of her conduct has been altogether favourable. If she had seriously desired to maintain peace and to obtain greater protection for the Christian subjects of the Porte, I cannot but believe she might have found means—not, perhaps, of preventing the insurrection, but, at all events, of preventing the aid and countenance which it received from the neighbouring Provinces, by which that insurrection was supported—I cannot but believe she might have prevented her own subjects from joining the Servian armies. I cannot help contrasting the conduct of Russia in these matters with the protest made by her in an extraordinary State paper three years ago in reference to a few foreign soldiers and officers passing through Turkey into Circassia. Your Lordships must have been astonished, as I was, on reading the despatch addressed to the noble Earl the Foreign Secretary on the 5th of September last by Sir Henry Elliot, in which he informed the noble Earl that, in the absence of the Russian Ambassador, he had had a conversation with the Russian Chargé d'Affaires, who protested, in warm terms, against Turkey concluding peace with Servia without the approval of the Powers, for he said it was possible the two might be satisfied with terms which the other Governments—or, at all events, his own, would not approve. It appears to me that the Chargé d'Affaires made an important revelation of the secret views and intentions of his Government which probably the Ambassador would not have been frank or indiscreet enough to have made. That revelation so made seems to me utterly inconsistent with the belief that Russia was animated by a disinterested desire for peace. I have trespassed on your Lordships longer than I intended, and I can only thank your Lordships for your attention.

The Earl of DERBY: My Lords, having already within the last few days twice addressed your Lordships upon this Eastern Question, I need not assure you that I would not voluntarily come forward to do so on the present occasion; but so much has been said by my noble Friend who has just sat down (Earl Grey), and by the noble Lord who introduced the discussion, inviting explanations, and in some cases calling for a defence of the past actions of the Government, that I should not be justified in refusing to accept the invitation so held out—I will not call it a challenge, for I am bound to say the comments have been made in a fair and friendly spirit. The discussion has naturally taken a very wide range, and I am afraid, therefore, I shall be somewhat desultory in my reply. In referring to the various points that have been raised I will begin by referring to the speech of the noble Earl. I am sure your Lordships will all agree with me that it would have been a matter of very great regret if the discussion had closed without our having the benefit of his long experience and of his dispassionate criticism. There was much in the speech of the noble Earl with which I agree; there was much also which I regard as matter for careful reflection and consideration; but your Lordships will understand that I naturally pass over those points in which there is an agreement between us, and advert only to those in regard to which my noble Friend criticized the action of the Government. The first of my noble Friend's criticisms is this—He asks, why did we not in the beginning of 1875 require as a condition of signing the Andrassy Note, and acceding to the policy indicated in that Note—why did we not require on the part of the States bordering on Turkey a real and effectual, and not a nominal, neutrality? My answer is, that we did so as far as it lay in our power; and I refer my noble Friend to the noble Duke who spoke the other night (the Duke of Argyll), who seemed to think we had gone a great deal too far in pressing the Austrian Government to observe on its frontiers the obligations of international law. It was along the Austrian frontier that the greatest part of the assistance was given to the insurgents in Herzegovina and Bosnia; and certainly whatever you may think of our policy, whether you think it right or wrong, it cannot be said that there was any slackness on our part in calling the attention of the Austrian Government to these breaches of international law which were being committed—I do not say, nor do I believe, with the sanction of the highest authorities—but which nevertheless were committed by the local population, and probably with the connivance of the local officials. That is my answer to the criticism of the noble Earl. If we had chosen to ask we might have obtained a declaration of the intention to observe entire neutrality; but my noble Friend is far too experienced a statesman to attach much value to declarations of that kind. With regard to the second point, on which my noble Friend considers that we have been in the wrong, he asks why, when Servia was getting the worst of the struggle, and had appealed to us for our mediation, we mixed up two separate questions—the question of the terms on which peace should be granted to Servia, and the question of the internal reforms which we wished brought about in the Insurgent Provinces. My Lords, we had to bear in mind that it was quite useless to offer terms of peace to Servia which we were aware Servia would not accept. We knew also that whether or not the Servian Government would have been willing of itself to make peace, without any stipulations on behalf of the Insurgent populations, there were those in Servia and out of it, influencing the Government at Belgrade, who would not allow such a peace to be made. I am bound to say that, considering how intimately their cause and that of the Insurgents within the Turkish Provinces were connected—considering how closely one was mixed up with the other—I do not think it very unnatural that the Servian Government should have shrunk from what might appear unfair conduct in making separate terms of peace for themselves, and throwing over those with whom they had been acting. If my noble Friend thinks that undue deference was shown to the Servians in that matter, I can only say that the Servian Government applied for admission to the Conference, and their application was refused. My noble Friend went on to refer to the question of local autonomy — "local or administrative automony" is the phrase employed in the despatches—and he expressed surprise that we should have consented to any propositions of that kind when we had before us despatches showing the difficulty of carrying them into effect. The phrase of "local or administrative autonomy" was not one of my devising. I did not particularly admire it; it seemed very vague. I rather protested against its use. I accepted it as it stood. I took it as I found it, and if your Lordships will read the Blue Books you will see that this ambiguous term was carefully limited and defined by certain supplementary words explaining what in our sense it meant. They were in effect that what we meant by local autonomy was a certain measure of self-government, such as would give the population some control over their own local affairs, and some security against arbitrary acts. That was a very different thing from the autonomy proposed at the beginning of these discussions, and which really meant that the Provinces in question were to be placed under an administration entirely different from that which prevailed anywhere else in Turkey. If my noble Friend's suggestion is that no kind of local self-government should be extended to the Christian population of Turkey, I am bound to say that I am ready to meet him on that point. I do not believe that with an Empire such as Turkey—an Empire so vast and so heterogeneous, including so many populations, and in some parts so little connected with the central power—I do not believe the administration can be held together except by the introduction of the principle of self-government to a considerable extent. My noble Friend then says—"Whether the thing in the abstract was right or wrong, you are wrong in doing it at the time you did." With all respect to my noble Friend's authority, I do not think that observation applies; because when people are in insurrection, when we are doing all we can to induce them to lay down their arms, it seems natural, almost indispensable, to accompany the advice with a promise, at least, of some of those reforms for which they are contending. Austria had to deal with a very formidable insurrection in Hungary, and as the result of the pacification immediately afterwards the whole system of administration in that country was changed. We ourselves had, although on a much smaller scale, an insurrection 40 years ago in Canada; and I do not think it was very long after the suppression of that insurrection, that a new order of things was introduced into Canada, the object of which was to remove the grievances complained of. My noble Friend went on to allude to the question of the International Commission that was proposed at the Conference, and he expressed great doubts of the expediency and practicability of that scheme. My noble Friend is doubtless aware—though he did not refer to it this evening—that the plan of an International Commission was largely modified in the course of the discussions of the Conference. As first proposed, no doubt it was intended that the powers should be very large; but as the scheme finally stood, the International Commission was not one for administrative purposes, but it was a Commission for the purposes of supervision only, and in exercising its functions would possess no other powers than those which are already vested in members of the Consular body. The Commission was at first called by the French word, a *Commission de Contrôle*, and *contrôle*, as the noble Earl knows, does not signify at all the same thing as the corresponding word in English, it means supervision only; and it was introduced as a less offensive term than the almost equivalent word "surveillance." It was not proposed to be a Commission of Control in the English sense, but a Commission of Supervision. My noble Friend says there was not much probability of such a body acting in a satisfactory manner, because its members were likely to pull different ways. I am afraid that is true; but it is equally true with regard to the Ambassadors and Consuls whom you now employ. It is one inevitable inconvenience of an interference, however necessary, in the affairs of a foreign country. My noble Friend answered his own argument when he spoke of the inconvenience which arose from the different action of the various Powers in the case of Greece. They could not have shown more discretion if such a Commission as that lately proposed had existed. I quite agree with one thing which my noble Friend said as to the two great requirements of the Turkish Empire and the difficulty of meeting them—one being the difficulty of finding competent men to govern, and the other being the difficulty of providing them with security against arbitrary removal. That is a matter which the Conference did not fail to bear in mind; it was considered, and I do not think it is likely to be lost sight of hereafter. My noble Friend said he hoped we should hear nothing more of the proposal for an International Commission. I can only repeat what I said on a former occasion—that the particular scheme proposed at the Conference was not an object in itself, but a means to an end. Provided we get those reforms which we consider desirable and essential, I do not apprehend we shall concern ourselves as to whether they are obtained through one kind of machinery or another. I now pass to the speech of my noble Friend who opened the discussion (Lord Campbell). He began by reference to what fell from me on a former occasion with respect to the interpretation of the Treaty of April, 1856. If I understood him aright, what he said was this—He said I contended that the Treaty of April, 1856, could have no validity unless France or Austria chose to call upon us to act upon it; and he said that everybody knew that under existing cirumstances France and Austria were not likely to invoke an action; and he then proceeded to contend that it was unreasonable to assign to a Treaty, a meaning which would render it of absolutely no effect. My answer is, that although the changed circumstances of the present time have made the Treaty of far less importance than it originally was, it does not at all follow that because you may choose to consider it for practical purposes as null and void now, therefore it was so at the time when it was entered into. I do not think he is justified in saying that, because a change of circumstances has made the Treaty as it stands at present of little value or efficacy, assuming the ordinary construction to be put upon it, therefore you are to disregard the plain meaning of the document and put on its words a construction more binding than in ordinary language they would bear. My noble Friend says that, supposing the Powers which have a right to call upon us to act, do not do so, that does not cancel your obligation. But as our obligations are only to them, if they do not choose to call upon us to fulfil what we have undertaken to do under certain circumstances, I do not see that it is for us to enter into the question of what may be their motives or the determining causes which have prevented those Powers from so calling on us. That is their affair, not ours. My noble Friend then went on to a much smaller matter, but as he mentioned it I ought perhaps to say a word on the subject. He referred to a suggestion thrown out by Prince Gortchakoff in August last for a Conference to be held, with the condition that in order to avoid the necessity of referring home for instructions it should be attended by all the Foreign Ministers in person; and my noble Friend seemed to think if we had accepted that suggestion the result of the Conference might have been very different. To that I have several answers. In the first place, I am perfectly certain—I speak with knowledge—that the suggestion so thrown out by Prince Gortchakoff would not have been accepted by some of the other Powers. In the next place, I am utterly at a loss to understand how my presence at the Conference would have been more effectual in insuring a satisfactory result than that of my noble Friend Lord Salisbury. Personally, I hold an exactly contrary opinion. But in truth the object with which the scheme was first formed could not be realized. The notion was that time would be saved, because there would be no occasion for the Ministers to refer to their Governments. But I need not tell your Lordship, that, under the system which prevails in this country, it would be impossible for any Minister for Foreign Affairs to take on himself the responsibility of deciding an important question of international policy without consulting his Colleagues who remained at home. Therefore, no time would have been saved and no advantages gained. I will not follow my noble Friend into the question of the degree of the responsibility which the Porte has incurred by breaking up the Conference. That is now a very useless consideration—the thing is done, whether it be wise or unwise. I regret it, and we have only now to endeavour to repair the mischief as best we can. I cannot agree with the proposition laid down by my noble Friend, that whatever the result of the Conference it could not affect our obligations under that Treaty. If he follows that argument out to its legitimate result, it means that if you here once bound yourself by Treaty to protect any State, you are equally bound to protect it, however unwisely that State may have acted, and though it may have put itself wholly in the wrong and been the cause of its own difficulties. I do not think that is a doctrine which my noble Friend or any one else will seriously entertain. My noble Friend went on to another proposition and said " our right to interfere ceases with the obligation to defend;" and he argued that, inasmuch as in September last, in the business of the Bulgarian massacres, we had taken on ourselves to interfere, that was an admission on our part that the duty of defence had not ceased. Now I do not care very much to argue abstract points of that kind; but I may remind my noble Friend—what I have stated on former occasions—that I consider our right of interference in the Bulgarian matter, whatever that interference might have been, was a right in no way resting on, or regulated by, Treaty. Our right turned upon this—that from that time until now we have been engaged in endeavouring to avert the imminent danger to which the Turkish Empire was exposed, and it was the moral support given to Turkey by our diplomacy that justified us in remonstrating and even protesting in the strongest language against acts which tended to make our assistance useless and our support impossible. I will not follow the noble Lord through the various other topics to which he adverted. The noble Lord says, if I understand him correctly, that matters are different now from what they were in former times; that we had now got a constituency which would not, to the same extent as formerly, feel the burdens of war, and upon which direct taxation would not press; and that therefore when once the nation came to engage in a war it would not be in a hurry to have it brought to a close. I am not sure that I understood what was the conclusion my noble Friend drew from that statement. For my own part I do not think that where national feelings are strongly excited material interests influence the nation to the extent supposed by my noble Friend. But if the fact be that those who are the ultimate depositories of power, once engaged in a war, do not care how long that war lasts, I think he has supplied us with the most conclusive argument to induce us to avoid, by every means we can honourably employ, so great a risk.

Lord CAMPBELL: I am sorry to interrupt the noble Earl—and in fact I have several times refrained from doing so—but he has attributed to me a conclusion exactly the opposite to that which I intended to urge.

The Earl of DERBY: I beg my noble Friend's pardon, then. I certainly understood his arguments in an opposite sense. Another criticism of his was, that no effort had been made to avert in 1874 the union of the Three Powers. I do not understand what means my noble Friend or anybody else would have suggested in order to avert that union. The noble Lord said that we ought to have formed an alliance with certain of the Continental Powers; but my noble Friend must remember that we in England stand in a very different position in regard to those transactions from other Governments, such as Germany or Austria or Russia. We can keep back nothing from the public—we can give no pledge—we can enter into no secret alliances—we can hold out no inducement to any State to join us except our well-known desire for peace, and our friendly intentions towards all Powers, and that, of course, is not enough to offer when you are competing with Governments who are able to hold out offers of alliances offensive and defensive. The third point of my noble Friend was this—he says, you ought not to have said that you did not mean to fight for Turkey. I persume, in saying that, the noble Lord refers to the Dispatch of May last, which has been so frequently alluded to. Well, I think that the answer to that criticism is, that if we had not held that language at the time we did, we should have put ourselves in the wrong in two ways. In the first place—and that, in my opinion, is the more important matter—we should have been open to the imputation of misleading and deceiving the Turkish Government by the expectation of assistance which we did not intend to give; and, in the second place, if we had carefully suppressed our opinion upon that vital point, when that dispatch was written in May—if we had kept all the world in the dark as to our intentions before the autumn—I am quite sure we should have heard a great deal more of that mythical change of policy which has been attributed to us. Everyone would have said, and with some show of plausibility—"It is perfectly clear from your language and your general acts in May last that you intended to fight for Turkey; but you now say that you do not intend to fight for her." My Lords, self-defence must be a consideration with a Government as with the individual, and I do not think it was unreasonable on our part to put distinctly on record what our intention was at the time when it was quite possible that a different intention might have been imputed to us. My Lords, I have now gone through all the principal points in the two speeches to which we have listened. I will, in conclusion, express my hope that my noble Friend will be content with this discussion, and will not press his Motion to a division. There is nothing in the words of the Motion to which any objection can be taken. I think, however, that if my noble Friend is seeking by it to press upon us that which we are doing already, and asking us to persevere in that course of policy which we have actually adopted—that seems to me, to say the least of it, to be superfluous. But if that is not his object, if we are to take the Motion as a warning to the Government to adopt a different course of action than that on which we are engaged, then it is a Motion to which no Government could assent and continue to retain the administration of affairs. There is another consideration which will weigh with my noble Friend—which is this, that the adoption of a Motion of this character would not have much effect unless it were accompanied by a general concurrence of opinion on the subject and unless it were come to by both branches of the Legislature. That being the case I think that any division upon this Motion would only have the effect of exhibiting the appearance of difference and disunion amongst us on this grave subject, which I am happy to think do not exist.

THE DUKE OF ARGYLL: My Lords, I rise to make a few observations with reference to an accusation which the noble Earl on the cross benches (Earl Grey) has brought against me, of having used language with reference to the misgovernment of the Turkish Provinces which is open to misinterpretation on the ground that it exaggerates the effect of that misgovernment. I wish to say, emphatically, that in my opinion that language, instead of exaggerating the effect of that misgovernment, was entirely within the mark. No man who has read these Blue Books and the various Papers which have been presented to the House by Her Majesty's Government can fail to be convinced that no language can exaggerate the horrors which are weekly, daily, and hourly occurring in the Provinces under the government of Turkey. In my opinion, the attention of the country and of Parliament has been too much concentrated upon what are called the Bulgarian atrocities. Those undoubtedly were massacres on a great scale—similar to those which Turkey has in all ages had recourse to in suppressing insurrections; but the public mind is not sufficiently aware of the continual and normal oppression and persecution that goes on in these Provinces. I am quite sure that I do not desire to say anything hostile to the feelings or to the policy of Her Majesty's Government on this point, and I rejoice to hear from the noble Earl opposite so distinct and emphatic a declaration that Her Majesty's Government have still before their minds as the main objects of their policy to procure, by peaceful means, if possible, a real amelioration of the condition of the Christian Provinces of the Turkish Empire. But I wish every one of your Lordships and of those outside this House to understand that the language I have used is not exaggerated. Indeed, we have only to look at the accounts which have been published in the Papers before us on the conduct of the Commission which has been sitting at Philippopolis to inquire into these atrocities to see in what manner the Government of Turkey will act even when put upon its good behaviour, and when it knows that the eyes of Europe are upon it. What is the account which is given us by Mr. Baring, week by week, and month by month, of the conduct of that Commission, and of the Government from which it issues? Although I came down armed with extracts from that gentleman's Report on this subject in case of such a charge as that which has been brought against me being raised, I will not now trouble your Lordships by reading them. This, however, I will say—that from the beginning of October, when that Commission first sat, until the present time the evidence of Mr. Baring is that the members of the Commission were determined, if they could, to screen the miscreants who perpetrated these outrages, and that it was only by his determined efforts that any hope could be entertained that justice would be done. And not only that—it was only through his exertions that the greatest scoundrel and villain connected with the perpetration of these atrocities was condemned to death—and his latest despatches inform us that the President and the body of the Commission were prepared to reverse that sentence; and why? Because they were afraid of the displeasure of the Porte—of the very Government which had appointed them. Look at the language used by Mr. Baring. He says it is impossible to be here even for a few weeks without seeing that the condition of the Christians in these Provinces is simply intolerable—and this is language which he uses many times over. I feel that it would be impertinent in me to make any suggestions to Her Majesty's Government on this matter, and I much regret the exceedingly embarrassing position in which they are placed with respect to it. I have no Party feeling in this matter, and I sincerely desire to see whatever Government may be in office successful in their attempts to solve this grave question. My solemn belief, however, is that the Christian Provinces of Turkey were never in a worse condition than they are at the present moment; and I think there is danger that the sufferings of their inhabitants may be greatly aggravated by the failure of the Conference. I have read a copy of a proclamation which I am told has been issued in Bosnia, in which it is represented that the Porte has dismissed the Representatives of the Great Powers for having dared to interfere between the Turkish Government and its subjects, and requiring all the inhabitants of the district who have fled to return to their homes under the punishment of death. It is of course not possible to trace that document to its source, but I believe it to be a genuine one. I understand from the speech of the noble Earl the Secretary for Foreign Affairs that it is contemplated to give the Porte twelve months' grace. I will not give any opinion upon that point; but I am doubtful whether the noble Earl can persuade the other Powers to make an experiment which the noble Marquess near him (the Marquess of Salisbury) has denounced as hopeless. I trust, however, that the Government will adopt some means by which civilized Europe may be made acquainted with what is going on in the interior of these Provinces—such as by appointing Consuls in the chief towns. As the Motion was originally placed upon the Paper it contained no allusion to the Christian subjects of Turkey. This was a case of leaving the character of Hamlet out of the play, and on re-consideration the noble Lord repaired the omission; but I would remark that in his speech he has made no allusion to that branch of the question—a branch which is in no way connected with mere statecraft, but affects the abominable and atrocious misgovernment of Turkey, which has become a scandal, a disgrace, and a danger to Europe.

Lord BURY observed that the Motion of the noble Lord (Lord Campbell) differed materially from that of the noble Duke (the Duke of Argyll) which was discussed a few nights ago, and which was a direct attack on Her Majesty's Government. It had been intimated in "another place" that this was not a fitting opportunity for discussing the affairs of the East, and the discussion had been postponed in consequence of that suggestion on the part of the Government. Now, the other House having refrained from discussion on the ground that it was inopportune to discuss the question at the present moment, it was not fair to force the hand of the Government on the present occasion.

Lord CAMPBELL: My Lords, as no one else, to my regret, has risen to address the House, I am compelled to do so for a few minutes before the question is disposed of. The speech of the noble Earl on the cross benches may have, I trust, a good effect both here and elsewhere, as it shows how little the races subject to the Porte could gain by the dominion with which it is intended to replace it. The noble Earl has not given his concurrence to the Motion. He is not in the habit of giving Motions his concurrence. It is not consistent with his habits; it may be his principles to do so. Some adverse criticism upon his part ought not to disturb any one who makes a proposition to your Lordships. As to the noble Earl the Secretary of State he has not failed to see that no want of confidence whatever in the Government is implied in the Address, the terms of which he is not able to object to. It would not suit the pleasure of the House were I to go through all the series of remarks the noble Earl the Secretary of State, has made upon my former statement, but I cannot avoid saying that the leading arguments by which it was attempted to prove that if adopted, the Motion would at least reduce the prospect of hostilities have been entirely unanswered. The noble Earl considers that the view I based upon the history of the Conference, as absolving the Ottoman authorities from all responsibility for the failure which ensued, to be too minute in its foundation. It was not grandiose indeed as regards the facts alluded to, but it by no means follows that it was inconclusive upon that account. A larger and more striking vindication of the Porte might very possibly be given. But, as it must involve attack upon the propositions, the noble Marquess, the late Plenipotentiary, might feel required to defend, and his defence of which would not at all contribute to the peace of Europe at this moment, I determined to avoid it. It may be requisite to say a word on the pungent observations which the noble Duke on the bench beneath (the Duke of Argyll) has left the House after delivering. The noble Duke had nothing to advance against the Motion, but he complains much of the revision it has gone through. It is not at all irregular to revise a Motion up to the time it finally appears. It would have been competent to me to give no Notice at all until the last night when the House was sitting. But as to the surmise of the noble Duke that the phrase "to improve the welfare of the races subject to the Ottoman Empire" was only due to the inspiration of another mind, my answer is a very easy one. It is taken almost verbatim from the Motion I submitted to your Lordships on the 31st of July, when the noble Duke was altogether absent, and when his zeal upon the Eastern Question had by no means risen to the formidable height at which it is now standing. As to the Motion, I decline absolutely to withdraw it. Such a course would involve me in too much responsibility, if events take the turn it is our object to prevent, unless it is accepted, which it ought to be, the Government shall have the task of acting with regard to it. They have the fullest information. They have the strongest motives to adopt the course which is least calculated to precipitate hostilities.

On Question? *Resolved* in the *Negative.*

House adjourned at half-past Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 26th February, 1877.

MINUTES.] — SELECT COMMITTEE — Police Superannuation Funds, *appointed;* Lunacy Laws, Mr. Stewart *disch.*, Sir Trevor Lawrence *added;* Commons, *appointed.*

SUPPLY—*considered in Committee*—CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1876-7.

PUBLIC BILLS — *Ordered* — *First Reading* — Valuation of Property (Ireland) [102].

Second Reading—Publicans Certificates (Scotland) [87].

Committee — *Report*—Beer Licences (Ireland) * [57-101].

THE BALLOT ACT — MARKING OF BALLOT PAPERS.—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce a measure for carrying into effect the recommendation unanimously made by the Select Committee on the Ballot Act in their Report of last Session, in favour of removing the conflicts which exist between English, Scotch, and Irish legal decisions as to the marking of ballot papers?

THE ATTORNEY GENERAL: Sir, before the present Ballot Act expires the whole subject of the Ballot will have to be carefully re-considered by Parliament. Till the time for this re-consideration arrives the Government are reluctant to disturb in any way the working of the present Act, for they feel that it would be difficult to frame provisions as to the marking of Ballot papers more simple or less open to diversity of construction than those of the Act of 1872. There have, no doubt, been some differences between the English, Irish, and Scotch Courts in their interpretation of the law, but these differences do not appear to have given rise to much practical inconvenience. The suggestions of the Select Committee of last year will, no doubt, be carried into effect when the Ballot Act is continued, if it should be ultimately determined to continue it.

PATENT OFFICE—SPECIFICATIONS OF EXPIRED PATENTS.—QUESTION.

MR. E. J. REED asked Mr. Attorney General, Whether it is true that steps have been or are being taken at the Patent Office for the destruction of the printed specifications of expired patents, five copies only of each being reserved; and, if so, whether the remonstrances which have been expressed against this course will be attended to, and an ample number of copies of all existing specifications be preserved?

THE ATTORNEY GENERAL: Sir, I have made inquiry into the subject mentioned in the Question of the hon. Member, and am happy in informing him of the result. In pursuance of an Order recently issued, and which carried out the recommendation contained in a Treasury Report of last year, the printed specifications from the earliest period to the end of 1860 have been examined and the damaged and surplus copies eliminated, care being taken to retain a sufficient stock for the requirements of the public. The number of copies of each specification reserved in good condition, exclusive of 10 copies supplied to the sale-room and other copies reserved for the use of the gentlemen who are preparing the classified abridgments of specifications, is as follows:—Specifications under the old law from 1617 to 1852, 5 copies of original and 12 of second editions; under the new law, from 1852 to 1856, 10 copies of original and 15 of second editions; 1857 to 1860, 20 copies of original and 25 copies of second editions; and 50 copies of patents which have expired since 1860 have been kept. It was stated in a leading journal in January last, that the greater part of the stock of expired specifications was in constant demand. This is an exaggeration. Ample provision has been made for the supply of any demand which may probably be made. The accumulation of specifications had, owing to the system formerly adopted in the Patent Office, become so great that it was absolutely necessary to adopt the course which has been pursued.

PLEURO-PNEUMONIA (IRELAND) ORDER, 1876.—QUESTION.

MR. M. BROOKS asked the Chief Secretary for Ireland, If he is aware that complaints have been sent to the Local Government Board and to the Privy Council of Ireland, relative to the burials of cattle slaughtered in accordance with

the Pleuro Pneumonia (Ireland) Order 1876, in a field adjoining the spinning mills on the Circular Road, Dublin; if it is complained that the provisions of the Order in Council with regard to the mode in which the burials are carried out are not enforced either in letter or spirit; that the carcasses are not buried at a reasonable depth, some not one foot, some not quite below the surface; that the place selected for such burials is unfit for the purpose, being used for grazing ground for other cattle, and being in a near neighbourhood of land in which extensive building of dwelling-houses has lately been in operation; and, if he will order any, and what steps, to be taken to prevent a recurrence of these complaints?

SIR MICHAEL HICKS-BEACH: Sir, complaints of the nature described in the hon. Member's Question were made both to the Local Government Board for Ireland and to the Irish Government. The Director of the Veterinary department of the Privy Council, Professor Ferguson, inquired into the matter, and it appeared from his Report that the complaints were a good deal exaggerated, as he stated that the animals were buried at an average depth of 4½ feet, and that since the field had been used for this purpose no cattle had been allowed to graze there. He expressed his opinion, however, that the place in question, being within the municipal boundary, was unsuitable for the purpose for which it had been selected. In that opinion the Lord Lieutenant entirely concurred, and the Local Government Board were requested to point out to the Board of Guardians the propriety of at once discontinuing the interment of the carcasses in this field, and selecting another at a distance from Dublin, which they could easily do, as their Union extends over a large rural district. The Local Government Board wrote to this effect on the 19th of February, and it appears from the public Press that the Guardians have since taken steps for adopting the course suggested to them. I may add that the responsibility for carrying out the provisions of the Cattle Diseases (Ireland) Act, 1876, rests with the Board of Guardians of the Union in which it may be put in force rather than with the Local Government Board or the Irish Executive.

ARMY—MILITIA RECRUITS.
QUESTION.

MR. SULLIVAN asked the Secretary of State for War, If he will inform the House how many recruits were obtained for the Militia during the year 1876, and what is the maximum age at which they are usually taken?

MR. GATHORNE HARDY: Sir, in answer to the hon. Member's Question, I have to say that 38,437 recruits were enlisted for the Militia between the 1st of January and the 31st of December, 1876. Of these, 27,330 were from England and Wales, 3,720 from Scotland, and 7,387 from Ireland. Thirty-five years is the maximum age at which a recruit may be enrolled, 19 years is about the average age at which they are enrolled, and 23 years about the maximum age at which they are taken in any regiment.

INLAND REVENUE OFFICE, BRISTOL.
QUESTION.

MR. HODGSON asked the Secretary to the Treasury, What steps have been taken in reference to the promised removal of the Inland Revenue Office at Bristol, and the cause of any delay that may have arisen in the matter?

MR. W. H. SMITH: Sir, the Board of Inland Revenue are waiting for the Office of Works to propose a site. The Commissioners of Public Works have endeavoured to obtain a suitable site both for Probate Registry and Inland Revenue. Several proposals have been made, and are still under consideration.

MAIZE AND BARLEY MALT.
QUESTION.

MR. CLARE READ asked Mr. Chancellor of the Exchequer, If it is true that malt is now used in brewing which is made from maize or Indian corn; and if he will state how the malt duty is levied on such grain, whether by weight, measure, or otherwise; and, if it is still necessary for a farmer before steeping barley for his stock to give notice to the Inland Revenue; and if such notice is requisite before steeping maize or any other grain?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was informed that a small quantity of malt was now used in brewing which was made from maize. The malt duty upon it was levied by gauge in exactly the same way as upon malt from barley. It was necessary for a farmer, before steeping barley for his stock, to give notice to the excise officer, and this regulation applied equally to barley, maize, or any other grain.

RAMSGATE HARBOUR.—QUESTION.

MR. PEMBERTON asked the President of the Board of Trade, Whether complaints have not been made for some years past with respect to the management of Ramsgate Harbour and its property; whether a private inquiry did not take place under the direction of the Board during the past autumn with reference to such complaints, and to certain proposals that the harbour and its property should be transferred to some local authority; and, if so, whether he has any objection to lay upon the Table of the House the Papers connected with such inquiry, and the Report (if any) made to the Board; and, whether there would be any objection on the part of the Government to the appointment of a Royal Commission to inquire publicly into the matters above referred to?

SIR CHARLES ADDERLEY: Sir, I am not aware of any specific complaints of mismanagement of Ramsgate Harbour. Proposals have been made for transferring the harbour to local bodies, but there seem to be no materials for constituting such a general authority over town and harbour as proposed, and certainly the harbour dues should only be expended on the harbour. Ramsgate Harbour was transferred to the Board of Trade in 1861, on the abolition of passing tolls, and the Board maintained the harbour till lately on a balance of capital; but lately Votes in Aid have been made by Parliament. This year the Vote will disappear and the Board of Trade is able to make the revenue and expenditure meet. An inquiry was held early last year at my request by the Lord Warden of the Cinque Ports and two other gentlemen with a view to ascertain whether any improvements could be made; but the Board of Trade do not see how they can relieve themselves of the trust. I will lay the Papers connected with this inquiry on the Table, and until these Papers are produced the

House cannot judge if further inquiry is desirable. I do not think anything more can be elicited, but any information I can give the hon. Member I shall be happy to give him.

THE JUDICATURE ACTS—REPORT OF THE COMMISSION.—QUESTION.

Mr. BRIGGS asked, Whether any steps are being taken by Her Majesty's Government with a view to giving effect to the recommendations contained in the Second Report of the Legal Departments Commission, presented to Parliament in July 1874?

Mr. W. H. SMITH: Sir, in accordance with a suggestion contained in the Second Report of the Legal Departments Commission, the Lords of the Treasury have communicated with the Lord Chancellor, who has concurred in the appointment of a Committee of persons nominated by his Lordship and the other Presidents of Divisions in communication with the Treasury, to consider and report as to the extent to which, and the manner in which, the recommendations contained in the Second Report of the Commission can best be carried into effect, after sufficient experience of the new order of Procedure under the Judicature Acts has afforded materials for arriving at a decision. The subjects which shall be referred to this Committee are at present under consideration by the Lord Chancellor and the Treasury. The names of the persons to serve on the Committee are also still matter of consideration; but I hope to be able to lay them on the Table at an early date.

NAVY—COMPASSIONATE ALLOWANCES.—QUESTION.

Mr. PULESTON asked the First Lord of the Admiralty, Whether he will consider the question of extending to petty officers and seamen of the Royal Navy the provisions of the Order in Council of the 23rd day of October last empowering the Lords Commissioners of the Admiralty, in their discretion, to grant Compassionate Allowances to Naval Officers who have been dismissed from the Service for misconduct, or have been allowed to resign to avoid trial by Court Martial?

Mr. HUNT, in reply, said, he could not give more consideration than he had already done to the subject contained in the Question of the hon. Member. The cases of the officers and men were very different. The latter, who gained their livelihood by manual labour, had no difficulty in obtaining other employment, but the officers, when thrown out of their employment, were often reduced almost to beggary.

ARMY—AN IRISH REGIMENT OF THE GUARDS.—QUESTION.

Sir PATRICK O'BRIEN asked the Secretary of State for War, Whether in framing the new arrangement for reconstructing the Regiments of the Army on a "territorial" basis, he has considered the propriety of officially recognising the presence of the Irish element in the Army, by constituting one of the seven battalions composing Her Majesty's Brigade of Guards an Irish Regiment, bearing an Irish name, having regard likewise to the circumstance that Scotch soldiers are already honoured by being represented in the Brigade by two battalions bearing a Scottish designation?

Mr. GATHORNE HARDY, in reply, said, he had made no new arrangements upon a territorial basis. They existed when he went into office, and the Guards and Rifles were excluded from them. The Irish element, he was happy to say, was very gallantly represented in the Army, and very honourably known in some of the regiments; but he had no intention to propose to alter the designations of any of the regiments of Guards.

LICENSING ACT, 1872—SALE OF BEER BY RETAIL.—QUESTION.

Sir THOMAS CHAMBERS asked the Secretary of State for the Home Department, Whether, in view of the conflicting decisions of the licensing justices, he will state whether residence upon the licensed premises is necessary for the sale of beer by retail not to be consumed on the premises; or whether he is prepared to introduce a measure to settle the question?

Mr. ASSHETON CROSS, in reply, said, that he was not aware there had been any conflicting decisions of the licensing justices in this matter. He did not think that he could give any authoritative opinion as to what the law was. He was informed that on the 21st December, 1875, in the case of "The Queen *v.* the Justices of Yorkshire," it was settled by the Court of Queen's Bench that no qualification of residence was required for the sale of liquors to be drunk on the premises.

TURKEY—A PETITION FROM BULGARIA.—QUESTIONS.

MR. ANDERSON: I beg, Sir, to ask the Under Secretary for Foreign Affairs a Question of which I have given him Private Notice, and which I ask in consequence of statements which appear in *The Daily News* to-day, which I have every reason to believe are well-founded —namely, Whether Her Majesty's Government have any knowledge of one or more Petitions from the inhabitants of Tatar - Bazardjik, or other Bulgarian towns, addressed to the European Powers or their Representatives at the late Conference, stating, among other things, that they have no faith in the new Constitution, although the Turkish authorities are compelling them to sign papers approving of it; and, also, whether any such Petitions have been received by the Government, and whether the Government will lay them on the Table?

MR. BOURKE: The hon. Member has mentioned in his Question a paragraph in *The Daily News*, and I have compared the Petition which is in *The Daily News* to-day with one which reached the Foreign Office on the 20th, and it seems to be the same document. In answer to that part of the Question, therefore, I have to say that the Foreign Office have seen that Petition, and it is now going to Constantinople. There will, of course, be no objection to lay it on the Table with the rest of the Papers which will be placed before the House in due time on the full subject of Turkish affairs.

MR. ANDERSON: Is that the only one?

MR. BOURKE: That is the only one upon that subject which we have received.

Afterwards,

MR. ANDERSON: I rise to ask the Under Secretary for Foreign Affairs, If I was correct in understanding him to say that he had sent that Petition to the Turkish Government at Constantinople, and, if so, if he has sent all the names?

MR. BOURKE: No, Sir, I did not say to the Turkish Government at Constantinople. I said to Constantinople, and I hope the House will only suppose from that that they were sent to our Chargé d'Affaires at Constantinople.

MR. ANDERSON: With the names?

MR. GLADSTONE: I am anxious not to misunderstand the hon. Gentleman. He used some words to my hon. Friend which appeared to me to signify, and I wish to ask, whether we are to understand that they did signify, that the Government was going to lay further Papers on the Table with respect to Bulgaria.

MR. BOURKE: What I stated was, that the hon. Member's Question related to Bulgaria, and that other Papers on that subject would be laid on the Table with other Papers bearing on the whole question which are in course of preparation. We have already laid two or three of these Papers on the Table; but I think it will be admitted that it is not convenient that we should go on laying Papers on the Table one after another, in this manner, and, therefore, I can only say that the Papers are being prepared, and that they will be presented when the Secretary of State considers it right in the interests of the public that they should be presented.

MR. ANDERSON: What I wish to know is, whether the names of those who signed the Paper in question are to be held confidential, or whether they are to be made known to the Turkish Government?

MR. BOURKE: I can only state what I stated before—that the Petition, with the names appended, will be sent to our Chargé d'Affaires at Constantinople; and, of course, the names being attached, it will be presented in that form.

MR. ANDERSON: Is the Chargé d'Affaires so instructed— ["Oh, oh!"] I want to know whether the names are to be kept confidential by our Chargé d'Affaires?

MR. BOURKE: I have not the slightest objection to answer the question; but I think it would be better if the hon. Member would follow the usual practice and give Notice of it.

MR. ANDERSON: Then I give Notice for to-morrow.

PARLIAMENT—A POINT OF ORDER.

QUESTION. OBSERVATIONS.

Mr. GOLDSMID said, he desired to ask a Question of the right hon. Gentleman in the Chair upon a point of Order. Standing Order No. 1 was to the effect that whenever Notice had been given that Estimates would be moved in Committee of Supply and the Committee stood as the First Order of the Day upon any day, except Thursday and Friday, upon which Government Orders had precedence, the Speaker should, when the Order for Committee was read, forthwith leave the Chair without putting any Question, unless an Amendment were moved relating to the particular division of the Estimates which was to be considered. In the early days of the Session he had given Notice of a Motion relating not to the Supplementary Estimates, which were set down for that evening, but to the whole of the Civil Service Estimates; but he found that his Notice had been omitted from the Paper. He asked whether he was not justified in asking to be allowed to address the House when the Order of the Day was called?

Mr. SPEAKER, in reply, said, that as the Supplementary Estimates which were to be considered and the hon. Member's Amendment both related to the Civil Service Estimates, he considered the hon. Member was entitled to proceed with his Amendment.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE CIVIL SERVICE ESTIMATES—PROPOSED MINISTERIAL STATEMENT.

RESOLUTION.

Mr. GOLDSMID said, that as the Notice to which he had already referred was not on the Paper, he would state its terms before he proceeded to make any remarks upon it—namely,

> "On Civil Service Estimates, to call attention to the want of proper explanation of the Civil Service Estimates, and to move, 'That it is desirable that proper explanation should be given by a Member of the Government before the House is asked to consider such estimates.'"

The expenditure under the head of Civil Service Estimates was increasing largely year by year. He found on reference to the Papers which had been laid before the House that for the year 1874-5 the amount of Civil Service and Revenue Estimates was £20,073,000; that for 1875-6 the amount was £20,360,000; while for 1876-7, the year just about to close, it was £21,356,000—showing an increase of about £1,000,000 on the expenditure of the previous year. Then he found that in the Estimates which were now placed on the Table for the service of the year that was about to commence the amount of expenditure was £21,750,000. Under those circumstances, and when there were placed on the Paper Supplementary Estimates reaching to about £500,000 sterling in the Civil Service and Revenue Departments, he thought it was time that the House and the Government should adopt a more regular course of proceeding with regard to those Estimates. It might be that there were many items comprised in the Estimates of which hon. Members and himself might cordially approve; but, in his opinion, it was desirable that an explanation should be given of an expenditure which was now so largely increasing. That explanation should not be dependent on casual Questions from hon. Members, but should be one carefully prepared and studiously arranged and considered by a responsible Member of the Government. The Army Estimates were explained by the Secretary of State for War, and the Navy Estimates by the First Lord of the Admiralty, as the responsible heads of those Departments; but one looked in vain in the records of past years for any explanation of the Civil Service Estimates, excepting in regard to the Educational Department. It was right that there should be a careful explanation of the Estimates connected with Education, which were growing largely from year to year; but that head did not comprise all the large Services which belonged to the Estimates now upon the Table. There were, for instance, the Estimates for the Diplomatic Service and for Public Works, none of which ever received anything but the most casual explanation. The system adopted was this—The Secretary to the Treasury, doing what lay in his power to get through the work, brought on the Civil Service Estimates at any odd times, and if by chance there were very few hon. Members in the House, various items were hurriedly run through. Then hon. Members who had been absent at the time, but were specially interested in those items, would subsequently get up and start discussions upon them with other items of small importance, because the Government had given no explanation on subjects of greater moment, and were thought to be running through the items too perfunctorily and rapidly. That inconvenience could easily be obviated. If the Secretary to the Treasury or the Chancellor of the Exchequer, at the commencement of every Session, or on the first occasion when he moved that the House should go into Committee of Supply, would give a careful detailed explanation of all the Estimates connected with all the large Departments to which the Civil Service Estimates applied, the result would be not only to improve the position of hon. Members in regard to their knowledge of these Estimates, but also very materially to facilitate the transaction of Business by giving to each Estimate its relative position and importance. If such an explanation were given, there would be far less captiousness on the part of hon. Members in discussion, and far greater facility for the Government to make progress with the Estimates than could be expected as matters now stood, for the existing system of antagonism to the progress of the Estimates was almost entirely due to the want of explanation of the details of those Estimates. Now, to turn for a moment to the Supplementary, and run through the principal items. There was a sum of £41,000 for the new Courts of Justice above the sum voted last year; £69,000 for Public Offices, £47,000 for the purchase of Winchester House, and £21,000 for providing Consular Buildings abroad and a house for the Embassy at Rome. There was an increase in the Estimates of the Treasury and Foreign Office of £10,000, of the Board of Trade £10,000, of the Local Government Board £10,000. In Class 5 there was an increase of £56,000 for the Diplomatic Service, and the Consular Service in South Africa, so that including the remainder of the charges, the grand total of the Supplementary Estimates under the head of Civil Service and Revenue for the year, was £545,000; and that large figure of itself was a sufficient justification for asking why it had not been the practice to give proper explanation to the House and the country of the large expenditure under that head, before the House was asked to consider the items in detail. But there was another reason for the practice now recommended. When the House went into Committee, the proceedings were conducted on strict rules which prevented a Member from discussing general policy on particular items of expenditure, and it was desirable that hon. Members should have explanation not of the particular sum under each Vote, but of the policy of administration which guided the Department in the matter. There had been no such thing on the records of the House hitherto, and it was quite time that some such plan as that now proposed should be adopted. Again, it was not quite certain whether the total estimated expenditure under the head of Civil Service and Revenue Department for the ensuing year—£21,750,000—would cover the whole amount that would be required. Additional Estimates would be put forward in the course of the year, probably to the extent of some £230,000—a much lower figure than that taken for some years past. The total of the Civil Service and Revenue Estimates might therefore be calculated to amount, in round numbers, to £22,000,000, or to a proportion of from one-third to one-fourth of the total expenditure of the country. Was not this fact sufficient to prove the desirability of the course recommended? There were several increases requiring explanation—for instance, in the Law Department he found an additional expense in the Bankruptcy Court of £12,000, and for police stations scattered through the whole country £52,000. There was an increase in the Administration of Law and Justice of £90,000; an increase in the Vote for Education, and in the Colonial, Consular, and Foreign services, but on the other side it might be said there was a decrease in the Vote for the Stationery Office of £319,000—this decrease however he feared was more imaginary than real, inasmuch as it might be converted into an increase by some hon. Gentleman moving for Returns and thus putting the country to expense—a result which he apprehended all the more as he found that an hon. Friend of his had caused over £1,000 to be laid out in that way during the last year; and inasmuch also as in nearly every previous year there had been a large Supplemental Estimate under this head. There was, therefore, some justification for asking that a proper explanation of that expenditure should be given by one of the Members of the Government before the House was invited to consider the items in detail. Such explanation was suggested by a variety of facts, which he had alluded to, showing an increase or a decrease, in the Estimates before the House—such an explanation as it was impossible for the Chancellor of the Exchequer to give in his annual Financial Statement; but which the Secretary to the Treasury could give in what might be called "The Annual Civil Service Statement," on behalf of the Government. If such a course were adopted he believed the result would be at once to afford valuable information to hon. Members and the country, and to facilitate the progress of Business. On the whole, it appeared to him that it was not right for the House of Commons, who had the control of the public money, to vote away carelessly and without proper investigation these large sums of money for this vast expenditure, and it was for that reason he brought forward his Motion. It might be objected that there were plenty of "statements" already, but the answer to that was that this great expenditure of £22,000,000—so large a proportion of the whole expenditure of the country—demanded attention from the House and the country. The hon. Gentleman concluded by moving the Amendment.

Mr. RYLANDS, in seconding the Amendment, said, he thought that they were indebted to the hon. Member for Rochester (Mr. Goldsmid) for having brought the question under their notice, as under the present arrangement there was a danger of a good deal of expenditure in the Civil Service being incurred without sufficient consideration. If the suggestion of the hon. Member were acted upon, it would operate as a check upon expenditure of a carelessly extravagant character. They ought to be informed by the Secretary of the Treasury of the special reasons justifying any increase of expenditure in the various Departments before going into Committee of Supply. Proposals involving any great increase of expenditure ought to be fully discussed, and the necessity for vigilance in keeping down expenditure was especially necessary at the present time, as he thought that a grave charge might be very fairly made against the Government, that they had made a practice of exceeding their Estimates to a much more serious extent than their Predecessors. Besides the Supplementary Estimates, amounting to above £500,000 for the Civil Service, he feared there might be large excesses for the Army and Navy over the Budget Expenditure, as estimated by the Chancellor of the Exchequer. If so, that would make the Budget Speech of the right hon. Gentleman a farce, and the House would not be able to rely upon it in future. The Chancellor of the Exchequer when he brought forward his Budget calculated that the 1*d.* which he was about to add to the income tax would not only make good the deficiency of revenue as compared with the estimated expenditure, but would give him at the end of the financial year a surplus of £380,000; but that anticipated surplus would be more than swallowed up by the Supplementary Estimates for Civil Service alone.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that proper explanation should be given by a Member of the Government before the House is asked to consider the Civil Service Estimates,"—(*Mr. Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord ESLINGTON thought his hon. Friend the Member for Rochester (Mr. Goldsmid) had done a valuable public service by bringing this matter forward. Sitting where he did he need hardly say that his remarks were not made in any spirit of hostility to Her Majesty's Government. Indeed, he was of opinion that a debate of this kind was calculated to strengthen the hands of any Government, because if there were any branch of the public expenditure over which that House had, and ought to have, control, it was the expenditure on the Civil Service. For his own part, he could not see any valid reason why the

Civil Service Estimates should not be introduced to the notice of the House by the responsible Minister of the Crown, with an explanation similar to that which attended the introduction of the Estimates for the Naval and Military Expenditure. No argument as to the safety of the country could be made with reference to the Civil Service Estimates as might be made with reference to the Army and Navy. For the alarming growth of the Civil Service Estimates the House of Commons was mainly responsible, and therefore it was essential that hon. Members should carefully watch their increase. He thought sufficient care was not always bestowed by the Departments in framing the Estimates. As far as the Supplementary Estimates were concerned, they being in the nature of *ex post facto* demands, the supposed check of that House was a delusion, and they were things which hon. Members should very jealously watch and very closely challenge. The increase under the head of the Board of Trade he supposed was due to the passing of the Merchant Shipping Act. Therefore the Minister had nothing to do but to say—"You insisted on our undertaking this duty, and you must pay for it." He pointed this out as an illustration of the way in which the action of the House tended to swell the Civil Service Estimates. The mode in which these Estimates were now discussed and dealt with in Committee of Supply was a peddling one and unworthy of the House. If a full statement were made when they were brought forward, the House might then challenge them broadly, and with greater propriety and dignity than at present. As it was, there was much ground for some of the statements made by his hon. Friend the Member for Rochester.

MR. CHILDERS said, he fully agreed with the noble Lord opposite (Lord Eslington) that his hon. Friend the Member for Rochester (Mr. Goldsmid) had done good service in bringing the matter before the House. He also thought the House was indebted to the noble Lord himself for the assistance which had been rendered to the discussion of it, and who very much undervalued his own services to the Public Accounts Committee. It might, perhaps, be objected that the subject was not a new one, and that some 20 years ago, when Mr. Wilson was Secretary to the Treasury, an attempt was made to bring the Civil Service Estimates at one view before the House, and that attempt was not regarded as a success. He trusted the Government would not object to the Motion, but if they objected on that ground, they should bear in mind the great difference existing between the Civil Service Estimates then and now. He was not quite sure whether the expenses of the Revenue Departments were at that time charged on Revenue or voted by Parliament. At any rate, these expenses required just as much watching as the Civil Service Estimates proper, and the amount of the latter Estimates had enormously increased. In 1852 the amount of the Civil Votes was £4,400,000. They rose slowly till, at the end of the Crimean War, they reached £6,000,000. They were now something like £22,000,000. Though it might not have been thought worth while to submit these Estimates at one view when they amounted to £4,000,000, the case was different now when they amounted to more than the Army or Navy Votes, and to nearly as much as the two put together were a few years ago. It would be of great public interest and advantage, therefore, to have from the Minister an explanation as full as was given with regard to the Army and the Navy. The Estimate which the House was now called upon to consider was a very large Supplementary Estimate indeed. The year before last the aggregate amount of Supplementary Estimate voted in the year of the original Estimate and before the 1st April of the following year was £527,000. Last year the aggregate was £532,000. This year it amounted to £756,000—namely, £211,000 voted in the year of the original Estimate and £545,000 in the present Session, and it was very much greater than anything of the kind that had been asked for before. On one occasion, during the late Administration, when the Supplementary Estimate was £252,000, the right hon. Gentleman the present First Lord of the Admiralty protested against what he called "illusory Estimates." If they were illusory when the supplemental Vote was £252,000, what must they be when it had risen to the present amount? Then, again, the circumstances of the financial year rendered it peculiarly necessary that before voting £545,000 they should first know whether they had the money. He said this, because it appeared from the weekly statement published by the Chancellor of the Exchequer, that already at the end of the 11th month of the financial year there was a deficiency of £176,000 on the four principal sources of the public income—Customs, Excise, Stamps, and Taxes. It was true the Miscellaneous Receipts showed pretty well, but if upon a falling Revenue in other respects the House was called upon to vote this £545,000, the Chancellor of the Exchequer should tell the House how matters really stood, and whether there would be a sufficient amount of money in the Treasury to meet this drain. On the other hand, in addition to the present Supplementary Estimates, it appeared from the Appropriation Account for 1875-6, that there was an excess in Navy Expenditure which would have to be made good before the close of the financial year. They ought to be informed whether or not there was an excess in the Army Expenditure. The Chancellor of the Exchequer might possibly be able to show a saving upon other items, but he ought to explain the effect of so large an excess upon his Budget Estimates. There was another reason why a statement from the Minister as to civil expenditure, as a whole, was wanted. Formerly the House only received these Estimates piece-meal, some parts as late as in June or July. He (Mr. Childers) in 1866, for the first time, consolidated them in one book, and this was laid by him on the Table in that year before the end of February. He desired to compliment the hon. Gentleman the Secretary to the Treasury for having still more expedited the Civil Estimates; for he had, in point of time, beaten the First Lord of the Admiralty and the Secretary of State for War, and was absolutely first in the race; and, having won that race, he hoped the hon. Gentleman would come forward triumphantly and give the House the satisfaction not only of seeing the whole of the Estimates laid on the Table at one time, but also of hearing a speech from him in explanation of them.

Mr. NEWDEGATE said, this was a matter on which the House should review its own action. The House was responsible for the increase of these Estimates to four times the amount at which they stood 25 years ago. This enormous increase indicated a change in the administration and in the constitution of the country. He thought that now that the Civil Service Estimates were combined in one volume they should be referred to a Select Committee, so that individual Members of that House should not be dependent for their knowledge upon that which the Government thought fit to accord. In that way, the House would be able to learn what part of the policy which Parliament had adopted and sanctioned was responsible for that enormous increase.

Sir ANDREW LUSK said, he fully approved the suggestion of the hon. Member for North Warwickshire (Mr. Newdegate) that the House should do something for itself in this matter, and not leave so much in the hands of the Government. He had himself been foolish enough one time to propose that the Estimates should be sent to a strong Committee upstairs. The right hon. Gentleman the Member for Pontefract (Mr. Childers) was then in office; but it was considered by several Members of the Government better to leave things as they were. It was all the same what Ministers were in power, hon. Members of the House were not allowed to know anything, for once comfortably seated on the Treasury Bench, hon. and right hon. Gentlemen would give no more information than they could possibly help. He would like, however, that they should be masters of their own proceedings, and know something of what was done. He had tried to get some information about these matters, but it was of no use. No doubt some men of more ability had been more successful in their efforts, but it never came to much. The House, as a rule, did not care about finance; when the Estimates came on there was a general run of hon. Members out of the door, and anybody who interfered in the subject was voted a "bore." Neither, it seemed to him, did the public care, and when they saw an account of the proceedings in the newspapers next day they generally remarked that a good deal of the time of the House had been taken up to very little purpose, for that no saving of money had resulted. How could any good be done by individual

Members against a Ministerial Bench well manned and amply provided with powder and shot? He had thought over this matter again and again very carefully, and the conclusion he had come to was that the only way in which the House could be master in this question was by sending the Estimates to a large Committee upstairs. He could not see the use of getting a speech from the Treasury Bench, as was proposed, on the subject of these Estimates, as right hon. Gentlemen would simply get up and give what they called an explanation, but it would be a mystification. The Supplementary Estimates were very large this year, and they were all for things that ought to have been foreseen and spoken of last year.

MR. W. H. SMITH said, the question under debate was a very important one, and an attempt had been made by a Predecessor of his, who had with great advantage to the country filled the office he had now the honour to hold, to carry into effect the proposal now made by the hon. Member for Rochester (Mr. Goldsmid) for which the House was indebted to that hon. Gentleman. There was no observation more true than that successive Secretaries of the Treasury and Chancellors of the Exchequer would derive very great advantage from any amount of criticism on the Estimates presented for their consideration. But former Secretaries of the Treasury had to complain, as he now complained, and it was the great difficulty, that the economy of the House of Commons was so fitful, uncertain, and irregular in its application. Very frequently, too, the criticisms of hon. Members were applied to Estimates, the consequence of legislation which was forced upon successive Governments by public opinion and by individuals who influenced public opinion. In that way a certain policy was forced upon the country and upon Parliament, and the result was they were committed to a course of proceeding which involved very large expenditure, and for which subsequently the bill must be paid. His hon. Friend had asked the Government to give him a full explanation of the Civil Service Estimates, and had drawn attention to the very considerable increase in their amount from year to year. There was the greatest desire on his own part and on that of the Chancellor of the Exchequer that that information should be granted; but it was not wise that they should disguise the difficulties which surrounded a statement of this kind. The Votes comprised in the Civil Service Estimates were 150 in number, and they travelled over seven different classes. They began with Public Works; they went on to deal with the Public Offices, Police, Education, the Diplomatic Service, and Superannuation Allowances, and Miscellaneous, Special, and Temporary Objects, and concluded with the Revenue Departments and Postal Services. He thought he need only refer to the experience of his right hon. Friend the Member for Pontefract (Mr. Childers) when he said it would require a very lengthy speech to do full justice to the circumstances in which it was necessary for the Government to ask Parliament for an increase in every Department over the Estimates of the previous year. But all he could say on behalf of himself was that an effort should be made to comply with the spirit of the recommendation of the hon. Gentleman, and with what appeared to be the general desire of the House. He thought he should best consult the convenience of the House if he did not deal at any length with some of the remarks of his hon. Friend. He would reserve himself for another opportunity if he might say so. But reference had been made to the largeness of these Supplementary Estimates. He must ask his right hon. Friend the Member for Pontefract (Mr. Childers) and the House to recognize the great zeal of the permanent officers of the Treasury who had assisted him in the preparation of these Estimates. Though those officers were thoroughly loyal to every Government, and it was by their assistance that he was enabled to lay Estimates on the Table a few months earlier than usual, yet he would remind the House there must necessarily be less foresight than if they were presented in April. He did not apologize for the Supplementary Estimates. It was the duty of the Secretary of the Treasury to submit Estimates which he believed would be sufficient for the purpose; but, on the other hand, it was not his duty to make allowance for contingencies which he had not fully in view and which he did not believe would require expenditure. No doubt the largest demand of the Government was for Public Works, but they would explain themselves. It would be seen that they had been obliged to ask for a large additional Vote for the Courts of Justice. It would be recollected that towards the end of last Session he stated that he would have to ask for a further sum early this Session, if he found greater energy used by the contractor in order to forward the work. He thought his hon. Friend would recollect that he distinctly gave notice of the probability of that demand. There was also a large sum for the purpose of providing further accommodation for the War Department. He thought there were very few hon. Members who were not aware of the difficulty of the War Department at the present time and who would not admit that the Government were compelled to find accommodation to relieve that Department from the present crowding of clerks and servants. There was also a Vote of £59,000 for the purchase of land in Great George Street and King Street, but his right hon. Friend would explain that. With regard to the other items in the account, he hoped the House would allow him to explain them when the House went into Committee. They were very numerous. Some of the items would be explained by his hon. Friend the Under Secretary for the Colonies (Mr. J. Lowther); £30,000 would be asked for the suppression of the Slave Trade. That item was explained in the Estimates themselves. He would not now detain the House, but when these Estimates were arrived at he would be happy to give satisfactory information with regard to them.

Mr. DODSON said, it was desirable that, as far as possible, expenditure should be submitted in one Estimate at the commencement of the year, and it should be as exact as possible. He had drawn the attention of the right hon. Gentleman the Chancellor of the Exchequer two years ago to the growing tendency of these Supplementary Estimates for the Civil Service. Within the last few years they had increased considerably. In 1870-1 they amounted to £447,000; in 1871-2 to £419,000; in 1872-3 to £298,000; in 1873-4, when there was a change of Government, to £648,000; in 1874-5 to £1,267,000, but £500,000 of this sum was paid over in aid of local rates; in 1875-6 to £597,000; while in 1876-7, as far as they knew, they amounted to no less than £762,000. This was a question quite distinct from that of amount of expenditure. It was a question of care and accuracy in framing the Estimates for the year, and of firmness in adhering to them. Some Supplementary Estimates were almost inevitable, but they should discourage the growing tendency of these Estimates as much as possible.

Mr. DILLWYN believed that the practice of surrendering balances into the Exchequer explained to some extent the increase of Supplementary Estimates. He, therefore, complained not so much of the Supplementary Estimates as of the amount of the Estimates in gross. The Revenue did not increase to the same extent as the Expenditure, and if that state of things continued, everybody could see what the result would be. He strongly recommended that a small Committee should be appointed which should sit upstairs and check the Estimates with the Government. It was impossible for private Members to criticize them with any effect when they were introduced in the House.

Sir WILLIAM FRASER thought that the division of responsibility between the Government and a Committee sitting upstairs would hardly recommend itself to the prudence of the House, neither would it answer in its working. He wished, however, to put a question to the Government on a particular point—namely, why the Report of a Committee appointed by the Queen to inquire into the condition of the War Office and the Horse Guards had not been laid on the Table, so as to enable the House to judge whether those buildings were or were not in a fit state for habitation?

General Sir GEORGE BALFOUR maintained that if the various annual Estimates were drawn out with that careful exactness which ought to follow from an accurate acquaintance with the requirements of the several Services, there would be no necessity for having Supplementary Estimates to anything like the extent to which they had been carried within the last seven years; and he regarded that practice as an indication of insufficient information and defective control on the part of the Government, as to whether the requirements of the public service, when the original Estimates were framed, had been duly attended to by the responsible Heads of Departments. It was clear upon the face of it, either that less money than was necessary to carry on the public service had been voted last year, or that the House was now called on to provide funds for purposes which, in the main, could have been forseen or might have been postponed; and it would have been better had the difficulty been boldly faced either by increasing the grants when the original Estimates were prepared, or by refusing the requests in the Supplementary Estimates for more money. It was most objectionable to permit officers of the Government, nominally under the control of the Treasury and of that House, to spend money in excess of the sums voted, and then to come to this House in the last month of the year to grant additional funds, and thus constrain the House of Commons to recognise the exercise of a power which was quite illegal. They ought to have an inquiry of a very stringent nature made whenever they had a Supplementary Estimate placed before the House. At the time that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was Chancellor of the Exchequer Supplementary Estimates were rare. Unhappily a remark made by the right hon. Gentleman the Member for the London University (Mr. Lowe) of the necessity for Supplementary Estimates had, he feared, led to the Departmental Heads making out these additional money demands to a greater extent than in former years. He deprecated in the strongest manner throwing on the Secretary of the Treasury the sole responsibility for explaining the Civil Service expenditure. This was a task too great for any one mind to perform. He held that the Vice President of the Council should explain the Educational Estimates; and the Under Secretaries of State for the Colonies and Foreign Affairs those relating to the Colonial and Diplomatic Services; the Chancellor of the Exchequer those of the Revenue Departments; that the Chief Commissioner of Works ought to give an account of the expenditure of his Department; the Postmaster General, in turn, should give a similar account, explaining to the House the details of the extensive and varied operations of his office; and so on through the different Departments. He also thought there should be, instead of a verbal explanation, a printed statement from each Department of the variations in the proposed expenditure on each Service, giving those minute details which require to be carefully studied at leisure in order to be properly understood. Without it the Estimates might in some respects be liable to misinterpretation, and appear on audit to be falsified on account of the difficulty of deciding as to the exactness of the appropriation of each particular sum for the specific Service to which it applied. But the greatest and best remedy was the appointment of a Select Committee to examine the details and arrangement of the Estimates, and the explanations furnished; not with a view to relieve the Treasury of any responsibility; but rather to see that the Treasury had done their duty in controlling the expenditure and supervising the arrangements of the Estimates.

THE CHANCELLOR OF THE EXCHEQUER observed that at least three questions had been raised in the course of that discussion. First, that some Minister of the Crown should make a general statement in regard to the Civil Service Estimates, as was done in connection with those applying to the Army and to the Navy; secondly, and it was not a new proposal, there was an argument as to the propriety or impropriety of having Supplementary Estimates; and, thirdly, a point which had been briefly raised by the right hon. Gentleman the Member for Pontefract (Mr. Childers) was as to whether they were in a financial position this year to vote that sum of money. On that he must respectfully decline to be drawn into giving by anticipation something very like a Budget speech; and although he might state that the Revenue had not been coming in under certain heads as satisfactorily as he had hoped, yet there were, on the other hand, several compensations. Therefore, he would not now take up that challenge further than to say that he had no reason to doubt that when they came to the end of the year they would be able to present a very fair result for the year; and as regarded those Supplementary Estimates they had reason to expect savings, and considerable savings. Then, with respect to Supplementary Estimates generally, he thought the hon. Gentleman the Member for Swansea (Mr. Dillwyn) put the case fairly when he said that if they adhered to the principle of surrendering every year the balance upon the Votes taken, they could not altogether avoid having Supplementary Estimates. No human being could well foresee at the beginning of the year everything that would come into the expenditure in the course of the year. When formerly they had the power of carrying over what was not spent in one year on a Vote to another, they might have been independent of such Supplementary Estimates by always keeping a balance in hand; but now the system, with the approval of the House, had been altered. Either provision must be made by Supplementary Estimates for unexpected expenditure, or the Government must ask at the beginning of the year for more than they wanted, which he was sure the House would agree with him in thinking was an objectionable course to adopt. A Minister who had £100,000 more at his disposal than he actually required, would be more likely to spend that sum than if he had the prospect of a Supplementary Estimate before his eyes. Therefore, he did not disparage the remarks which had been made against Supplementary Estimates; on the contrary, he was glad to hear them, and he could assure the House that the Government were anxious to avoid Supplementary Estimates as much as possible. It was no doubt true, to a certain extent, as had been shown by the right hon. Gentleman the Member for Chester (Mr. Dodson), that the Supplementary Estimates of the present Government were heavier than those of their Predecessors. For that, however, their Predecessors were in some degree responsible, having incurred liabilities for which they had not made sufficient provision. Another reason for the increase was that new services had been undertaken the exact expense of which it was not easy to estimate. In all these matters, however, inquiry was necessary and useful, and it would even be well if some hon. Member in the course of the Session would call attention to the growth of Civil Service expenditure. With regard to the suggestion of the hon. Member for Rochester (Mr. Goldsmid) he would say that although it was plausible enough, it was doubtful whether it would really work well. He did not say it was not worth trying; but, at any rate, it was an experiment that required careful consideration. Indeed, his hon. Friend the Secretary to the Treasury (Mr. W. H. Smith) and he would consult together to see whether the experiment could be made. They had, of course, a general knowledge of the demands made on the public purse, and no doubt it would be possible for them to indicate where the excess and where the decrease under the various heads were to be found. But such a statement, he thought it right to say, could not go very deep, ranging as it would do from the construction of buildings to our colonial policy, and the Secretary to the Treasury in attempting it might put the House into a somewhat inconvenient position. Any satisfactory discussion would be impossible on so shallow and superficial a statement as the one in question would necessarily be. But it was said the House did not want to enter into a discussion, but to have a general view of the financial situation, discovering the nature of the Estimates. Well, that was an object which could be better attained by a printed statement than by speeches in that House, and his hon. Friend the Secretary to the Treasury would this year, as he had done last, prepare a Paper showing in a convenient form the amount of the Civil Service expenditure, together with the Estimates of the Revenue Department for the past and coming years. He might add that his hon. Friend would also endeavour, in moving the Civil Service Estimates of the year, to make some general statement such as that suggested, though, of course, he would not be able to go very minutely into certain Votes. Under these circumstances, he hoped the hon. Member for Rochester would not press the Resolution, and that he would allow the House to go into Committee.

Mr. GOLDSMID said, that after the promise given by the right hon. Gentleman he would withdraw his Motion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1876-7.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £12,337, Public Buildings.

MR. RAMSAY called attention to the charge of £50 made in connection with Broadmoor Lunatic Asylum, and expressed an opinion that the question as to the future of that Institution ought properly to come on for discussion in connection with the Prisons Bill. The Report recently laid on the Table was made to show that Broadmoor was perfect, but the fact was that criminal lunatics cost double there what they did in other prisons. He hoped that hon. Members generally would receive the Report before they concluded the consideration of the Prisons Bill.

MR. ASSHETON CROSS said, that in fulfilment of the pledge he had given last Session he had caused an inquiry to be made by a Departmental Committee with regard to Broadmoor and that a Report very strongly in its favour had been the result. At the same time, there were one or two Papers, which would be published with the Report, taking great exception to Broadmoor in its present state. The Report was already on the Table of the House, and he would do all he could to hurry on the printing and distribution of it. Meanwhile, he would suggest that the proper time to discuss the question as to Broadmoor would be when the Estimate relating to the Asylum came before the Committee.

MR. CHILDERS inquired generally with regard to the Supplemental Estimates, whether they would add to the total actual charge under the Civil Service Estimates, or whether there would be savings to set against them?

MR. W. H. SMITH, in reply, said, the savings would be considerable, but he could not at present say what they would amount to.

SIR ANDREW LUSK called attention to the explanation in the Estimates with regard to the Vote—namely, "various unforeseen special works of a costly character have become necessary during the year." He asked what they were, and why they had not been foreseen?

MR. ADAM also asked for an explanation.

MR. GERARD NOEL, in reply, enumerated a number of special works.

SIR ANDREW LUSK complained that what had passed did not reach hon. Members who were sitting a short distance from the Table.

Vote *agreed to.*

(2.) £4,200, Furniture of Public Offices.

MR. JAMES asked why £743 had been expended on the official residence of the First Lord of the Treasury, and £1,376 on that of the Chancellor of the Exchequer, buildings that could not be expected to remain standing for very long. With regard to the official residence of the First Lord of the Treasury, there had been a considerable outlay upon it when the present Government came into office, and he wished to know how it was that an additional expenditure of such a large amount had already become necessary?

MR. MONK objected to the expenditure of £500 on the new Offices of the Charity Commissioners. The House on a former occasion affirmed the principle that the Charity Commission should be carried on without expense to the taxpayers, and he wished to know why it had not been acted upon?

THE CHANCELLOR OF THE EXCHEQUER said, the idea of going to live at his official residence in Downing Street had never occurred to him till the close of last Session, when it became necessary to make different arrangements in consequence of the retirement from the House of his noble Friend at the head of the Government, and it became evident to him (the Chancellor of the Exchequer) that it would be impossible to carry on the business of his office, living at a distance from it, without great inconvenience to himself and others. As to the furniture of the residence, the principle on which it should be dealt with had been settled a good many years ago, when his right hon. Friend the Member for Greenwich (Mr. Gladstone) lived in it, when it was arranged that the furniture should be provided by the Office of Works, and that each succeeding occupant, on leaving, should be charged the difference between the value of the furniture when he came in and when he went out. He might add that while his right hon. Friend resided there the new Foreign and Colonial Offices were in course of construction. The old Colonial Office having been pulled down, and it having been found necessary to make some temporary structural arrangements for the accommodation of clerks, the Chancellor of the Exchequer gave up the use of his house for the purpose. When, however, the new offices were finished the clerks left, the house became vacant, and it became, of course, necessary to go to some expense to remove the temporary erections and render the house fit for living purposes. As to the houses having been practically condemned, he could only say that they were in the position of threatened men who were said to live long, for although the time would, no doubt, come when they would have to be swept away, he was informed that many persons were willing to take them on long leases and to give large sums for them, on the prospect of their continuing to stand for a considerable time.

Sir ANDREW LUSK asked for an explanation of the item of £400 for the Treasury Solicitor's office.

Mr. W. H. SMITH said, he fully concurred with the hon. Member for Gloucestershire (Mr. Monk) as to the expediency of securing a sufficient income from the funds of the charities to meet the expenses of the Charity Commission, and if the hon. Gentleman would produce a scheme which would be acceptable to the country, he could assure him it would receive the best attention of the Government. In reply to the hon. Baronet the Member for Finsbury, he had to state that the duties of Solicitor to the Treasury had of late considerably increased, and that it had, in consequence, been found necessary to provide in his office additional accommodation.

In reply to Mr. James,

Mr. GERARD NOEL said, that the furniture in two or three of the rooms in the official residence of the First Lord of the Treasury was in a very dilapidated state, but that there had been no extravagant expenditure in restoring or replacing it.

Vote *agreed to.*

(3.) £3,440, Houses of Parliament.

Mr. ADAM remarked that full explanations ought to be given as to why there was such an increase in the expense incurred in the ordinary maintenance and repair of the Houses, and as to the special works, the necessity for which was, according to the Papers before the House, not apparent when the original estimates were framed. The original Vote amounted to £7,583.

Mr. GERARD NOEL explained. Amongst other items there was £105 for the "prison in the House." £30 had been expended on the Ladies' Gallery. Other sums had been expended upon the division bells, the Victoria Tower, the repair of the pinnacles of, after the squall in January, which cost £350, the Serjeant-at-Arms' house, and rooms for the Members of the Government. £1,000 of the sum which the House was asked to vote was excess in ordinary maintenance and repair.

Sir GEORGE BOWYER complained that, notwithstanding the newspaper paragraphs which appeared every February announcing extensive embellishments and improvements in the Houses of Parliament, nothing was ever seen by hon. Members which would account for the expenditure, which he believed was greater than need be incurred. There was a great deal of money wasted on public buildings; private individuals were able to get their work done cheaper than the Office of Works.

Mr. RYLANDS suggested that there should in future be an Appendix to the Estimates, giving the particulars of any additional expenditure that might be proposed. How long a time had elapsed since anyone had been committed to the prison room? Until that moment he had not been aware of the existence of such a place.

Mr. GERARD NOEL said, no one had been committed to the prison room for many years; in fact, since 1848.

Lord FREDERICK CAVENDISH was of opinion that some of the Votes were not of so urgent a nature that they might not very well be postponed till next year. Such was the case, for instance, with respect to the prison, which, it appeared, had not been occupied for a long time, and the oak panel in the Dining-room.

Mr. CHILDERS said, his noble Friend had asked the right hon. Gentleman whether the Vote for £600 for the oak panelling in the Dining-room could not be postponed. He also wished to know whether the Dining-room Committee had been consulted on the matter?

MR. GERARD NOEL said, the expenditure had been authorized by his Predecessor in office.

MR. ADAM said, he had never heard that £600, or any other sum, was to be spent on the decorations of the Dining-room. If such a sum were to be expended at all, he thought it might be applied to a more useful purpose.

SIR ANDREW LUSK complained that sums were asked for executing "certain special works," and expressed a hope that more precise information would be given.

MR. GERARD NOEL promised that a more detailed statement should be given next year.

Vote *agreed to.*

(4.) £3,524, New Home and Colonial Offices.

(5.) £1,490, National Gallery Enlargement.

MR. GOLDSMID said, he wished to be informed whether it was the intention of Her Majesty's Government to proceed at once with the extension of the National Gallery; whether it would be necessary to purchase more ground; and whether proper precautions had been taken to preserve the building from the risk of fire?

MR. GERARD NOEL was of opinion that there was at present ample accommodation in the National Gallery, and there was as yet no intention on the part of the Government to enlarge the building. Precautions had been taken against fire, and he believed the whole of the ground required had been purchased; but he was not able to give a positive answer at present upon the point.

Vote *agreed to.*

(6.) £1,800, Harbours, &c., under the Board of Trade.

MR. SHAW-LEFEVRE inquired whether the amount under the Vote, £1,200, covered the damage done to Dover Harbour by the late storm? He also wished for an explanation respecting the purchase of land in connection with Harwich Harbour?

SIR CHARLES ADDERLEY regretted to state that the estimate for Dover Harbour was only a temporary one, pending the report of the civil engineer. As soon as the storm had taken place Sir John Hawkshaw was sent down to Dover to report; but he declined to do so, on the ground that it was impossible for him to make any accurate estimate of the damage during the present season of the year. Consequently it was impossible to insert in the Estimate for the current year the total expense of restoring the pier to its former condition. In Harwich Harbour works were going on which rendered necessary the acquisition in 1866 of the land referred to, certain expenses in respect of which had now to be met.

MR. WHITWELL asked whether any enlargement of Dover Harbour, apart from repairs, would be made by the right hon. Gentleman's own authority, without the plans being submitted to Parliament?

SIR CHARLES ADDERLEY: Certainly not.

Vote *agreed to.*

(7.) £40,975, New Courts of Justice and Offices.

MR. ADAM presumed this Estimate was due to the judicious threat made by the Secretary to the Treasury last year, that in case the contractors did not proceed properly with their work he would enforce penalties upon them. It would be interesting to the Committee to know what progress had been made, and when they might look for the completion of the work.

MR. GERARD NOEL said, he had been over the whole building with Mr. Street, the architect, who showed that the works were going on very favourably. It was expected that the eastern portion of the building would be completed by the end of the year.

SIR GEORGE BOWYER protested against the designs of the building so far as they had gone. They comprised, in his opinion, the worst specimens of modern Gothic that could be found. There was a large number of small carvings on all sides of the building. They covered a very large surface, and cost an enormous sum of money. They professed to be ornamental; but, in his view, they were not really so. He hoped that the First Commissioner of Works would go over the building and endeavour to diminish the number of these so-called ornaments.

MR. CHARLEY hoped that the Government would press forward these buildings with all possible speed.

Mr. GERARD NOEL said, the Committee might depend upon it that the Government would do all in its power to expedite the work. As to the observations of the hon. Baronet the Member for Wexford (Sir George Bowyer), the elevation was settled, and nothing was so costly as to make alterations in a design once in progress. He could not therefore undertake to make any change.

Vote *agreed to.*

(8.) Motion made, and Question proposed,

> "That a sum, not exceeding £69,400, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Acquisition of Land and Houses as a Site for Public Offices."

Mr. MUNDELLA asked how much of this sum was for the payment of the site at present occupied by the Canada Government Buildings, in King Street, Westminster? A worse built or more inconvenient building, he thought, could hardly be devised.

Mr. SHAW LEFEVRE said, a Vote of £30,000 had been taken last Session, and now a Supplementary Vote of £69,000 was asked for the same purpose. He wished to know whether there was such an immediate necessity for the purchase of this land as to require a Supplementary Estimate instead of being included in the Estimates for the coming year?

Mr. W. H. SMITH said, the negotiations with regard to the purchase happened before the present First Commissioner of Works entered upon his office. The Government had the offer of the Canada Government Buildings under circumstances, which rendered their prompt decision necessary to the purchase. The value of the property was fixed by arbitration—namely, £49,629. The property, which covered a large space of ground, formed a large contribution towards the completeness of the plan of the Government Offices. There were other premises purchased for the same purpose—namely, those at No. 23, Great George Street, the value of which was fixed by arbitration at £19,771. In both cases it was a necessary condition of purchase that the sum should be paid during the present financial year.

Mr. MUNDELLA said, the greater part of the expense incurred was not for the land, but for ths buildings which stood upon it. Canada Buildings were almost new buildings, and they proved one of the worst purchases ever made by the Government. He did not think the property was worth a third of the money they had paid for it.

The CHANCELLOR of the EXCHEQUER said, that Canada Buildings had been purchased as a site for offices, it being covered with old and poor buildings which would have to be replaced. If the Government had waited until the buildings had been pulled down and replaced by others of greater value the price would have been higher.

Mr. CHILDERS asked, whether the Government regarded this purchase as the beginning of a scheme for purchasing the whole block of buildings down to Great George Street?

The CHANCELLOR of the EXCHEQUER said, various proposals had been made at different times for effecting the purpose referred to by the hon. Gentleman, and last year the Government brought in a Bill for the purpose. Notice of that Bill having been given, a deputation of the inhabitants of the district made strong remonstrances on the subject, and it was clear that very heavy expenditure would have to be incurred in purchasing the property if it were to be bought by compulsory purchase, as part of a great scheme. The Government did not think it was necessary to proceed with the work at the time, and they therefore abandoned the Bill, although they were not prepared to say it might not in time be desirable to carry out the work. In the meantime, certain small portions of the property had been offered for sale, and that fact having been brought under the notice of the Government, they thought it would be wise to purchase houses or buildings on the spot when opportunities occurred. If they did not do so, as he had before observed, buildings of a more expensive kind might be erected in their place, and thus the price of the property might be greatly enhanced if it should be determined hereafter to extend the public offices to Great George Street. The property which the Government had purchased would be valuable, even if it should not be wanted for the purpose of public offices. Having obtained it under arbitration, they had given no higher price for it than anybody else would have given.

MR. MUNDELLA thought the right hon. Gentleman could not know Canada Buildings. He must again say they were not old houses, but new offices, and of the very best description.

MR. RYLANDS protested against Parliament being committed to this large expenditure before it had been consulted upon the subject. It would have been much fairer if the Government had proceeded with their Bill and challenged the opinion of the House on the subject. Every plot the Government bought raised the value of the remainder of the property.

MR. SHAW LEFEVRE was of opinion that the course adopted by the Government was unwise.

Question put.

The Committee *divided:*—Ayes 96; Noes 61: Majority 35.

(9.) £47,000, Purchase of Winchester House.

SIR WILLIAM FRASER observed from a Note appended to this Estimate that the above "sum was required to enable the Commissioners of Public Works to purchase Winchester House, situated in St. James's Square, for the accommodation of the War Department." That raised a very important question—namely, whether it was desirable to continue the War Office and the Horse Guards on the present site. Two Committees had, he believed, condemned in strong terms the condition of the buildings of the War Office, and he objected to a valuable body of men having to do their work in premises which were in a state which was calculated to breed a pestilence. When the Reports of the two Committees to which he had referred were on the Table, he thought he should be able to show that the War Office was not fit for human habitation. He believed the state of its foundations had caused sickness, misery, and in many cases even death to the persons employed there.

MR. GERARD NOEL said, that as to the sanitary condition of the War Office, the hon. Baronet would be able to judge from the Report of the Committee, which would be laid upon the Table. But even if a new War Office had been decided upon, many years must elapse before it could be completed, and in the meantime the purchase of Winchester House would enable a considerable saving to be effected by the concentration of outlying departments, for the accommodation of which, at present, the Department was paying rent.

MR. CHILDERS said, he did not object to a fair price being given for Winchester House if it was necessary for the public service; but it appeared to him that the principal object of this Vote was to provide funds for the new Bishopric of St. Albans. The price was far in excess of the highest bid offered at the attempted sale, and he should like to know upon what calculation the sum had been arrived at? Several Governments had had before them the question whether the extension of our public offices should be in the direction of Great George Street or in the direction of Pall Mall, or towards the Embankment, and he would suggest the appointment of a Committee or Commission to consider that question.

MR. GATHORNE HARDY admitted that the present War Office could never be made a decent and satisfactory place for the purpose, and justified the purchase of Winchester House in the meantime, on the ground that additional accommodation was required, not merely for those presently employed at the War Office, but with the view of bringing together those who were employed in outlying branches of the Office, such as Victoria Street and New Street, with which, as matters stood, it was very inconvenient to hold the necessary communication. If it was taken, they would at once save office rent to the amount of £1,675. He looked forward to the building at no distant date, of a new War Office more worthy of the country. That, however, was a matter of the future; the providing of additional accommodation was a matter of present necessity, the state of things at the present buildings being intolerable; and he believed that if they looked at it merely as a property investment Sir Henry Hunt had arranged the purchase of Winchester House on very favourable terms. He hoped the House would sanction the Vote.

MR. MUNDELLA urged, that as the existing War Office could never be made a decent place for the purpose, the proper course would be, not to go on buying houses for the business of the Department, but to set about erecting a new Office at once. It would cost some thousands of pounds simply to fit up Winchester House when they got possession of it.

General Sir GEORGE BALFOUR deprecated the purchase of Winchester House, inasmuch as it would delay the obtaining of a proper building.

Mr. GREGORY said, that hon. Members seemed to concur in the desirability of having a new War Office, but that could not be carried out just now, and as increased accommodation for War Office clerks was necessary, he thought the purchase of Winchester House was desirable. It had been purchased at what he believed to be a fair price, and if they wanted to sell it at some future time it would fetch nearly the price now given, and probably more.

Mr. CHILDERS again wished to know whether the building had been put up for sale by public auction, and what was the highest genuine bid; also whether the Government would at once take up the question as to the direction which the extension of the public buildings should take—whether it should be in the direction of Great George Street or that of Pall Mall.

Mr. WHITWELL thought it was desirable to set about building a new War Office immediately, and that additional expenditure for accommodation should be authorized only on that understanding. The present building was not only unhealthy, but inconvenient and costly in the working of business; the labour saved would pay much of the new expenditure. He reminded the Government that there was a large available space for building purposes in the neighbourhood of the India House.

Mr. MOWBRAY remarked that the reason Winchester House did not last year realize the value which was placed upon it was that there happened to be at the time it was put up four houses for sale in St. James's Square. Having had an opportunity of considering the subject on the side of the vendor, although he was not in a position to state the highest bid for Winchester House, he could tell what was the reserve price. The reserve price was £50,000, and that was considerably below the reserve price which the Ecclesiastical Commissioners, on very competent advice, fixed in 1875. He thought the Government had selected a very fortunate time for the purchase, and had made that purchase on judicious terms. Considering its large extent, the good frontage, the valuable character of the building, and the fact that it covered an area exceeding a quarter of an acre of ground, he was of opinion that the Government had made a good investment.

Mr. MUNDELLA trusted that the Government would be content with their bargain, and not spend more money on the house, but put it into the market and proceed with the building of a new War Office.

Mr. GREGORY expressed approval of the purchase and disapproval of the proposal to appoint a Commission.

Mr. MUNTZ, in the interests of public business, advised the building of a new Office.

Vote *agreed to.*

(10.) £3,000, Light Houses Abroad.

Mr. MACDONALD wished to know what sort of a fog-horn it was contemplated to erect off Cape Race (the purpose for which the Vote was asked), whether it was one of the more modern fog-horns, and at what distance it could be heard?

Sir CHARLES ADDERLEY said, the fog-horn it was proposed to erect was one of the most recent and approved description. It was impossible for him to say at what distance it could be heard, but he believed it would be heard two or three miles against the wind. A great deal would depend, of course, on the state of the atmosphere and the direction of the wind.

Mr. MACDONALD desired to know whether it was a steam fog-horn?

Sir CHARLES ADDERLEY believed that it was blown by steam.

Vote *agreed to.*

(11.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £21,180, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for British Embassy Houses and Legation and Consular Buildings."

Mr. RYLANDS said, that this Vote was put down as being—

"required for the purchase of Baron Reinach's house as a residence for Her Majesty's Ambassador at Rome, together with an adjoining strip of land in the Via Palestro."

It might be supposed from that that this was the whole sum required for the residence; but in the Estimates of the present year a further sum of £12,000 was demanded to complete the purchase and for the alterations of the Embassy house. He objected to the Vote. The rent which had been paid for the Embassy house hitherto was £1,200 a-year. and in his opinion it was better to continue to pay this sum, than to enter into an indefinite expenditure in the purchase of a house. He would give an instance of what had occurred in a similar case. In 1843 a first Vote of £10,000 was taken for an Embassy house at Constantinople. That expenditure went on, and up to 1869 we had spent on the Embassy house at Constantinople, for building and in alterations a sum of no less than £150,226. This property was destroyed by fire through the gross neglect of those who had charge of it. In Paris during these 25 years the Embassy house had cost £77,749. In every year the charges for these Embassy houses were marvellous. It seemed as though the moment a building belonged to the Crown, it became the means of livelihood to a number of persons—architects, builders, furnishers, and others, who fastened upon it. In his opinion the more economical plan was to rent Embassy houses, and allow Ambassadors so much on account of rent. He hoped the Committee would resist this Vote—first, because it was bad policy to buy Embassy houses at all; secondly, because the Government had asked for a Supplementary Vote apart from the ordinary Estimates, for which there was not the least justification; and, lastly, because the hon. Gentleman the Under Secretary had laid the Estimate on the Table in such terms as would mislead the Committee, inducing them to suppose it was the entire sum wanted, whereas it was only the beginning.

SIR H. DRUMMOND WOLFF, pointed out that the £21,000 now wanted was for the completion of the purchase, and the £12,000 referred to he believed was put down for work to be done to the house after that event. The site was specially well adapted for the purpose of an Embassy house. It was a very valuable house, and he thought it of great importance that in every capital the British Embassy should be in one fixed place, instead of relying upon hired houses in different localities. He hoped the Committee would ratify the purchase, which would, he believed, be for the public advantage.

MR. BOURKE said, that, although he had no objection to accept the responsibility, the Estimate now under consideration was one which should be accounted for by the Office of Works, and not by the Under Secretary for Foreign Affairs. An arrangement had been made last year—though he did not think it a very good arrangement—by which certain houses were to be put under the Office of Works, and others under the Foreign Office. That arrangement had been tacitly sanctioned by the House, and it was no fault of his (Mr. Bourke) if the plan he had indicated had been carried into effect. The hon. Member for Burnley (Mr. Rylands) had hinted that Estimates of this description had been smuggled through the House; but he (Mr. Bourke) could truthfully say that in the course of the three years during which he had occupied his present position, he had never, upon any occasion, attempted to smuggle through a Vote. This very question of buying Embassy houses had been considered by a Committee, of which the hon. Gentleman to whom he referred was a Member; and, if he were not mistaken, that Committee had reported that it was desirable on all occasions to buy such houses. Such a policy was, in his opinion, a very economical one, or otherwise there would be increased charges through the constant tendency to increased rents in foreign capitals. At Rome the site now acquired was a very valuable one, in a capital situation. The present house was a very poor one, and unless something had been done, Sir Augustus Paget must leave it for another house where there would be a large increase upon the sum now paid for rent, £1,200. By spending a sum which would represent £1,400 or £1,500 a-year, he believed a good arrangement would be made in the public interest. At the same time he must in candour admit that the sum now asked would not be sufficient, because, as the hon. Member had pointed out, there would be the furnishing. He thought, however, a very good bargain had in this case been made. With respect to the expense of the Embassy house at Constantinople, the present Government were not responsible for the whole of the expenditure incurred, and he could only say that he hoped they would be more fortunate than their Predecessors in making their purchases.

Mr. DODSON could not help thinking that if the Government speculated in purchasing houses in foreign capitals, they would be very likely to make bad bargains. The Embassy at Constantinople had been exceedingly expensive to build. It turned out to be badly built, and the repairs cost a very large sum indeed. The same thing might again happen, and he therefore believed it would be found much safer to rent premises for our Embassies.

Sir H. DRUMMOND WOLFF must remind the right hon. Gentleman opposite (Mr. Dodson) that the purchasing system was recommended by a Committee, and was begun by the late Government. The right hon. Gentleman himself (as Secretary to the Treasury) had purchased Embassy houses at Vienna and Washington.

Dr. KENEALY concurred in the opinion that £21,000 should not have been expended on the purchase of an Embassy house at Rome, when the finest palace there could, he believed, he hired for £1,000 a-year. Was it not the fact, he should like to know, that nearly all the Representatives of the great Powers accredited to this country resided in houses not purchased, but hired from year to year?

Mr. WHITWELL said, the Vote was proposed to be taken in an irregular way, and in a manner opposed to the general practice of the House. He should oppose it, as he saw in it the beginning of further expenditure.

Sir ANDREW LUSK desired to know why this Vote had been put into a Supplementary Estimate at all. He objected to vote money after the work was done, and then call it an "Estimate."

Mr. KAY-SHUTTLEWORTH said, it was not a Supplemental Estimate, but a Vote on Account. The Estimate was not sufficiently clear and full, and did not convey to the mind of any one reading it that it was a Supplemental Estimate without looking to the Estimates.

The CHANCELLOR of the EXCHEQUER did not think it quite fair to call this a Vote on Account. So far as the transaction was concerned, it was a complete Vote for the purchase of a house, land, and garden. That was covered by £21,108. When they had got the house, some alterations would have to be made, which would amount to £12,000, and there would also be the cost of furnishing. It would be very inconvenient to insist that every expense incurred in such a matter must always be put in the main Estimates of the year. Such scrupulous particularity would very often cost the country a great deal of money. Proposals of this kind were looked upon by the Government with jealousy, for it must be admitted that the arguments against them were not without force. With regard, however, to the remark that Rome might cease to be the capital, there was not, in the opinion of the Government, much reason to expect that result. There was, of course, the possibility that a house which suited one family might not suit another, but there might at the same time be weighty considerations in favour of securing a permanent residence. For example, a house might at present be worth £1,000 a-year which a few years hence would bring £1,500 or £2,000. All that could be done was to weigh the probabilities, and, doing that in the present case, Government had come to the conclusion that the purchase would be a very good bargain, and on that account, they recommended it should be carried out.

Mr. DILLWYN said, what was complained of was that the Government had not given them a full Estimate, and the House ought to know what they were going to vote for the purpose.

Captain NOLAN mentioned that copies of the Supplementary Estimates seemed to be very scarce, for he and other hon. Members had not been able to get any, although they required them for the purpose of that discussion. Copies had, of course, been sent to the houses of hon. Members, but it was usual to count on being able to get others when they came to the House.

Mr. W. H. SMITH expressed regret at the scarcity and promised to communicate with the Speaker, with whom it rested to determine the number of copies that should be printed.

LORD ELCHO thought it hard on the present Government that hon. Members opposite, and in particular the right hon. Member for Chester (Mr. Dodson) should object to this expenditure on principle, when the policy on which it proceeded was one which had been recommended by a Select Committee appointed at the instance of a Liberal Government, and consisting of 22 Members, of whom 12 were Liberals, among whom were the hon. Member for Whitby (Mr. W. H. Gladstone), the then Member for Kilmarnock (Mr. Bouverie), and the hon. Member for Swansea (Mr. Dillwyn). He referred to the Select Committee of 1871 on the Diplomatic and Consular Service, one of whose recommendations was—in the words of the Report—that it would be for the advantage of the public service to have permanent residences for the heads of the Embassies. It was rather a strong proceeding for hon. Members on the Opposition benches to turn round against the Government and blame them for following a course they had themselves advised. He should vote with the Government.

MR. DILLWYN asked whether it was the intention of the Government to proceed at present with these Estimates after what had been stated as to the impossibility of obtaining copies?

THE CHANCELLOR OF THE EXCHEQUER said, that really the hon. Member had the greatest genius for obstruction. Copies of the Estimates had been distributed to all hon. Members, and while it was a matter for regret that there were not others to be got, it must be assumed that they had made themselves acquainted with the contents of the Paper, and it was too much to ask that the Business of the House should be stopped because they had not brought their copies down with them.

MR. WHITWELL said, the scarcity arose from there being so large an attendance of hon. Members. Many hon. Members did not bring their copies with them, because they wanted to keep them for other years for reference, and they trusted to be able to obtain other copies at the House. With regard to the remarks of the noble Lord the Member for Haddingtonshire (Lord Elcho), he wished to say for his part that he did not object to the Vote on principle, but because there was no information before the Committee as to the gross sum which would be required.

MR. MACDONALD also complained that copies were not to be had for the use of hon. Members.

Question put.

The Committee *divided:*—Ayes 167; Noes 53: Majority 114.

(12.) £700, Treasury.

(13.) £10,810, Foreign Office.

MR. B. SAMUELSON pointed out that the commercial department of this Office wanted revision, and asked whether the appointment of the additional Assistant Under Secretary of State would effect that object, or whether his attention would be limited to the legal business of the Office?

SIR H. DRUMMOND WOLFF said, that the Vote was required for the salary of an additional Assistant Under Secretary of State. As there had been a remodelling of the whole of the work of the Foreign Office, he should be glad to know whether the Memorandum would be laid before the House, in order that it might know whether the power and influence of the political Under Secretary of the Foreign Office had not been prejudicially diminished.

MR. HAYTER said, the Eastern negotiations would naturally cause an increase in the telegraph expenses, but the additional sum required—£8,510—seemed excessive, and required explanation.

MR. JAMES said, that concurrently with the increase in the telegraph charges there had been an increase of £1,100 in the travelling expenses of messengers and couriers. He would like to hear the reason for that increase.

MR. BOURKE said, that the new arrangement of the Office had nothing to do with the commercial department. He had not seen the Memorandum to which allusion had been made by the hon. Member for Christchurch (Sir H. Drummond Wolff), but there was a Minute which he did not think the House would care to see. The change made had been recommended by a Committee which sat last year to consider the subject, and had the effect of assimilating the practice of the Foreign Office to that which prevailed at the Colonial Office. With reference to the telegraphs, the enormous addition which had been necessarily made to the service last year had caused great expense. Each telegram sent to Turkey, to Russia, or other foreign countries was very costly, and a great number had frequently to be sent daily. The same observation applied to the item in respect of messages, there having been a larger number than usual despatched to the East.

Sir H. DRUMMOND WOLFF hoped that the Minute would be laid on the Table, as he believed that certain officials at the Foreign Office exercised their influence badly, and therefore he hoped that the Chancellor of the Exchequer would allow a Committee to be appointed to inquire into all the arrangements at the Foreign Office.

Vote *agreed to.*

(14.) £826, Colonial Office.

(15.) £15,796, Board of Trade.

Mr. PLIMSOLL said, that the item they were now asked to vote was likely to be an annual charge under the Merchant Shipping Act, and was incurred in order that they might do for reckless and dishonest shipowners what prudent and honest shipowners did for themselves. As they were asked for such a large sum they should at least be satisfied that some good work was done for the money. There were 11 highly-paid gentlemen who were appointed to the principal ports to see that the Merchant Shipping Act was carried out, and from the result of personal visits made to many sea-ports during the Recess, he could not find that they had done anything at all. The impression on his mind was that these gentlemen regarded their salaries of £600 or £800 a-year as a pension to retire into private life rather than as salaries for which they were to do work. It was just possible that the right hon. Gentleman the President of the Board of Trade might have fuller and better information, and he (Mr. Plimsoll) would give him the opportunity of stating it. There were a few questions which he wished to put to the right hon. Gentleman—namely, whether it had been an instruction to those highly-paid officers to see that the vessels were not overloaded, and whether they had been instructed to make a systematic examination of the load-line, and whether they had been told that in the event of the load-line not being sufficient they were to communicate with the owners. He was certain that if those instructions had been given they had been disregarded. Secondly, he would ask whether any instructions had been given to our Consuls in foreign ports to see that the load-lines of vessels were not submerged; thirdly, whether those gentlemen who had been appointed at large salaries had made a systematic examination of the 2,400 disclassed vessels, the names of which he sent to the Board of Trade at the close of last Session, together with the dates they were last examined. In some cases 8, 10, and 11 years had elapsed. Were any means adopted to see that these chief surveyors did anything for their money? There was an item for £600 for survey in foreign ports of vessels with grain cargoes, and it did not seem to be large considering the beneficial result of such regulations; but it was to be regretted and he should like to know why the examination of ships was not carried out in more ports. He believed the outlay had produced most beneficial results, and that the country would not grudge a much larger sum.

Sir CHARLES ADDERLEY said, he was sure the Committee would be very glad to see that the hon. Member for Derby (Mr. Plimsoll) had not relaxed in his vigilance upon this subject. He seemed to complain of the expense under the Act of last year, but the principle of the Act—namely, that officers of the Board of Trade should watch that vessels did not leave port improperly loaded—must have been a much cheaper plan than the plan of the hon. Member—that the Government should undertake the survey of every ship which left these shores. As to the question whether the 10 (not 11) principal Inspectors or Surveyors had "done anything for their money," the hon. Member must on this point have been less vigilant than usual, or he would have seen a Return lately laid on the Table, which showed exactly what they had been doing during the three months since the passing of the Act. These gentlemen had done a great deal, and from every quarter of the Kingdom he had received from shipowners unanimous testimony to the activity of these officers and the tact as well as efficiency with which they had performed their duties. He could not exactly state the number of ships they had detained, still less the number they had prevented from leaving port overloaded or improperly loaded. But one fact was significant, that of the ships they had detained as unseaworthy, several were ships classed at different offices, including Lloyd's. This fact was also so far satisfactory that it showed the House did not go far wrong in passing the Act in the shape it was passed last year. The hon. Member asked whether the Surveyors marked the owner's load-line of every ship which left this country. Whenever a ship was detected starting with her load-line below smooth water, it was the duty of the Surveyors to report; but he could not undertake to say that they had recorded the load-line of every ship leaving this country, still less that this was done in the case of British vessels loading abroad. Such a task would be impossible, and even dangerous. As to the stowage of grain cargoes abroad, the Reports which reached him were as satisfactory as could be expected, and the number of ports from which these Reports came was ample. The hon. Member seemed to think that the £600 which appeared in the Estimate for watching the stowage of grain cargoes covered the whole year, whereas it was only for three months, and the estimated cost of the whole year was £2,000. The list of disclassed vessels supplied by the hon. Member had been carefully looked into and considered.

MR. E. J. REED said, he could not concur with the right hon. Gentleman as to the success of the working of the Act, and he regarded the appointments of these Inspectors as having been unwisely made. He considered they had not done their work as efficiently as they ought. The general question, however, could not be discussed on the Supplementary Estimates, otherwise he should be prepared to do so. The country did not receive anything like the benefit it ought to receive from the large expenditure incurred.

MR. D. JENKINS asked if the 50 per cent of the vessels stopped were unseaworthy?

SIR CHARLES ADDERLEY replied, that he had not so stated.

MR. CHILDERS called the attention of the Chancellor of the Exchequer to the result of taking the Vote in the present form. We should be actually adding to the aggregate vote far more than was required, instead of showing the increase on the item and abating the savings on others within the Vote. He suggested that the right hon. Gentleman should in future refer such matters to the Committee on Public Accounts for their consideration. It was not right that the Estimates should be thus swelled.

THE CHANCELLOR OF THE EXCHEQUER said, this was a technical question, but it ought to be looked to. Under ordinary circumstances the Government would not have introduced the Vote, but here it was necessary.

MR. NORWOOD remarked that it was a discouragement to public officers when reflections were made upon their conduct, no reasons being assigned for such reflections. As the hon. Member for Pembroke (Mr. E. J. Reed) had given an opinion as to the uselessness of Surveyors, he was bound to state the grounds on which that opinion was based.

MR. E. J. REED said, that he had been misunderstood. He did not say that our Surveyors were useless, but only that they did not perform their duties as efficiently as they ought. He might add that the Act of last year was not passed to give the President of the Board of Trade an opportunity of congratulating himself, or the shipowners an opportunity of congratulating the President of the Board of Trade. It was passed with the view of instituting a more serious and searching inquiry into unseaworthy ships, and when the proper time arrived, he would lay before the House the reasons which induced him to think that the Surveyors did not perform their duties as efficiently as they might.

MR. NORWOOD said, he had expressed no opinion whatever as to the operation of the Act of last year, he only spoke of the strong expressions about public servants.

THE CHANCELLOR OF THE EXCHEQUER said, he felt bound to say that he thought the remark of the hon. Member for Pembroke (Mr. E. J. Reed) with regard to the shipowners was uncalled for. The hon. Member had spoken as if the House had legislated in a sense hostile to shipowners. The manner in which the shipowners dealt with the matter did not imply any disinclination to concur in measures for the saving of life. They might have differed from the hon. Member and others as to the particular measures to be employed, and might have occasionally expressed themselves with some warmth when reflections were cast upon them; but it was rather hard that the hon. Member should go out of his way to throw on the shipowners of the country imputations which they did not deserve.

MR. E. J. REED thought the right hon. Gentleman had rather stretched his meaning on this subject. He (Mr. Reed) most certainly understood that the Act of last Session was passed in restraint of the shipowners. However, if the right hon. Gentleman, as Leader of the House desired that he should now make a statement he was willing to do so.

SIR ANDREW LUSK said, if you trod on a worm it would turn, and the shipowners had been treated and spoken of in a way not pleasant even to those who had nothing to do with ships. If attacks and insinuations were persisted in, such as those of the hon. Member for Pembroke, it was natural they would be resented. For his part he thought the Surveyors had done their work very well indeed.

Vote *agreed to.*

(16.) £850, Civil Service Commission.

(17.) £872, Registry of Friendly Societies.

(18.) £10,000, Local Government Board.

(19.) £8,700, Mint, including Coinage.

(20.) £11,400, Law Charges.

MR. GOLDSMID wanted to know why the salaries of the Law Officers of the Crown should be provided by Supplementary Estimates? It was rather extraordinary if Her Majesty's Government were not aware that they should have Law Officers to provide for.

MR. W. H. SMITH said, that his hon. Friend would find that it was not so. The Vote was for fees of counsel and costs of intervention by the Queen's Proctor.

MR. GREGORY wanted to know under what circumstances the Queen's Proctor did intervene; whether there was any control over him, and whether he intervened of his own motion and at his own discretion, or had to refer to anyone before doing so?

MR. GORST said, the Queen's Proctor did not in any case intervene on his own authority. In most cases the intervention was directed by the Judge, and in every case the evidence was laid before the Attorney General before the Queen's Proctor intervened.

MR. W. H. SMITH said, that the Treasury Solicitor had been asked to discharge these duties. In future there would be no costs paid to the Queen's Proctor out of Votes of Parliament. The large amount was due to the fact that there were large arrears.

DR. KENEALY asked what was paid for counsel's fees in the Stuart de Decies case. He protested against the expenses, and asked for information on the subject.

MR. ANDERSON inquired why it was necessary that there should be a Queen's Proctor appointed for England while no such officer existed for Scotland? In Scotland the Judges themselves interfered in cases of collusion, and he failed to see why this great and constantly increasing expense should be incurred in England. He also wanted to know if there was such a fee fund in the Divorce Court as repaid all its cost to the country, for he questioned the morality of the State providing men and women with facilities for getting divorces at any cost to the country. If they were to have such facilities, they should at least pay all the costs.

THE ATTORNEY GENERAL said, that when the Divorce Act passed it was thought desirable that the learned Judge who presided over the Divorce Court should have the assistance of an officer to be called the Queen's Proctor when he thought it necessary. As the provisions of that Act were not extended to Scotland, he presumed it was not thought necessary to appoint a Queen's Proctor for that part of the United Kingdom.

Vote *agreed to.*

(21.) £4,900, Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice.

Mr. W. H. SMITH explained that the three Judges of the Court of Appeal who went Circuit were re-imbursed their Circuit expenses, and that the sum of £500 in the Estimate was to enable the Treasury to make the repayment. The other Judges paid their own Circuit expenses, except in the Winter Assizes.

Vote *agreed to.*

(22.) £800, Admiralty Registry of the High Court of Justice.

(23.) £1,790, Wreck Commissioner's Office.

(24.) £26,252, County Courts.

(25.) £18,492, Police, Counties and Boroughs (Great Britain).

(26.) £1,850, Reformatory and Industrial Schools.

(27.) £1,800, Register House Departments, Edinburgh.

(28.) £2,000, Science and Art Department.

MR. B. SAMUELSON said, he understood that this sum was to defray the expense connected with the remarkable Loan Exhibition of scientific instruments at South Kensington. He wished to know whether this interesting and valuable collection was to be allowed to be dispersed, or whether any steps would be taken by the Government to keep it together as a permanent collection?

MR. E. J. REED concurred with his hon. Friend (Mr. Samuelson) as to the great advantages which had resulted from the Loan Collection of Scientific Apparatus at South Kensington, and as to the desirability of establishing such a Collection in a permanent form. He could, if time allowed, enumerate many very important national purposes which would be served by such a Permanent Science Exhibition or Museum, and it would undoubtedly aid materially in sustaining this country in that position of scientific eminence to which it had attained.

VISCOUNT SANDON said, on the part of the Government, he was glad to hear from the two hon. Gentlemen who had just sat down, and who were so well qualified to judge, that the Loan Exhibition of Scientific Instruments was so much approved by men of science. It was certainly a remarkable exhibition, and it was a remarkable thing that it should have attracted so much attention from men of the highest scientific distinction from all parts of the world, 300,000 having visited the collection during a few months. The hon. Gentlemen, however, opened a very wide question when they asked if the Government were prepared to continue this collection as a permanent Museum. They were no doubt aware that a memorial had been sent to the Government by several leading men of science asking that such a Museum should be established; and that the Commissioners of the Exhibition of 1851 had made some offers to the Government on this point. Negotiations had been set on foot with regard to this important matter; but difficulties had arisen, one of which was that there was a considerable divergence of opinion amongst scientific men on the subject. The Government took a very great interest in the matter; but at present he was not empowered to say more than that before anything could be done it was necessary that there should be something like unanimity among men of science.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £550, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of the Arctic Expedition."

Motion, by leave, *withdrawn.*

(29.) £800, Paris International Exhibition.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £46,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."

MR. GOLDSMID said, we were entering upon a dangerous course in assisting the local revenues of our Colonies, without knowing why the Colonies were not self-supporting. We were to present St. Helena with £5,500, because it was in financial difficulties, and to give Sierra Leone £38,000, and Gambia £3,000. If we were to make good the sums required for financial equilibrium in a colony, he feared that a large number of the colonies would be in need of that support.

MR. J. HOLMS desired to have an explanation of the policy of the Government on this question, especially with reference to the charges for Sierra Leone and the Gambia on the West Coast of Africa.

MR. J. LOWTHER said, that when last year a subject arose connected with the West Coast of Africa, he distinctly stated that in the event of it becoming necessary to maintain the existing system with regard to the Settlements there, Parliament must be prepared to vote a sum of money in aid of them. A proposal was under consideration last year which he ventured to think would have been beneficial to all parties concerned. It would have effected an exchange between certain French Settlements and the English Settlement of the Gambia. The negotiations came to an end, however, in consequence of the French Government raising demands which it was found impossible to comply with. If the system which had been for some years acted upon was to be brought to an end, of course such a Vote as that under discussion need not be submitted to the House, but if we were to maintain those Settlements, it would be necessary in some way to supplement their revenues, which hitherto had not been found equal to the demand made upon them.

Mr. CHILDERS thought the increase in the Vote for the year was too large and the matter too serious to be brought forward in a Supplementary Estimate, and suggested that it would be better to withdraw the Vote and introduce it in the regular Estimates with an explanatory statement of the financial position of the Colonies in question.

Mr. J. LOWTHER said, it would be without some such addition as that which was proposed absolutely impossible to conduct the government of Sierra Leone. A portion of the money was required to pay a debt which had accrued through the depression of trade and the consequent diminution of Revenue, and there was also an expenditure for harbour work which largely increased the Estimate. The reason, he might add, why, the proposed outlay was not provided for in the regular Estimates of last year was, that the demand was not made on the Government in time to enable them to include them in those Estimates. In the case of St. Helena the money asked for was in a great measure to make up the deficiency of Revenue which was occasioned by the diversion of trade consequent on the opening of the Suez Canal.

Mr. CHILDERS said, the objection he had taken had not been met, and, if the Vote were passed without the production of further information, it would be setting an inconvenient precedent.

Lord ROBERT MONTAGU said, they were informed of the adoption of a new policy, and all they knew of it was that it involved increased expenditure. The Vote ought to be postponed until they had fuller information. The diminution of the colonial revenue was due to an increase in the export duty on palm oil, which injured the colony.

The CHANCELLOR of the EXCHEQUER said, that, if the Colonies in question were to be retained, it was necessary that these grants should be made. Last year there was under consideration a proposal, which did not seem to find favour with the House, to make certain exchanges with France of territory on the African coast. The financial importance of the proposal was that the Revenue of the colonies was derived from import duties, and if there were intervening ports, in other hands, goods would go through them, and the opportunities for smuggling be multiplied. It was felt that we could not retire from these Colonies, and what we had to deal with was the question of the present, regarding which he would give the Committee some figures as to their financial position. In Sierra Leone there had been for many years an excess of Expenditure over Revenue. In the years 1873, 1874, and 1875 there were deficits amounting in the aggregate to £23,000. In 1876 the deficit was still greater than it had been in previous years, in consequence of disturbances at the Sherboro, expenses for harbour works, and £31,000 for redemption debt, making, with £7,000 for the steamer stationed there, a total of £38,000. In Gambia there was, during the last three years, a total deficiency of £7,700. Votes were asked for to enable the colonies to go on, and there would be no objection to lay before the House the state of the several colonies and the several figures by which it was represented; and it would then, no doubt, be an important subject for consideration what was the state of relations between those colonies and the mother country, and whether those relations should be modified.

Mr. GOSCHEN hoped the question would not be allowed to remain open long. He wished to call to the attention of right hon. Gentlemen opposite, whether as a matter of precedent they ought to be called upon to aid the colonies by a large sum without having any Papers before them. It was impossible for them to grasp the financial situation of a colony in a moment and without Papers. He asked the Chancellor of the Exchequer to consider again whether the Vote should not be postponed?

MR. WHITWELL also hoped the Chancellor of the Exchequer would consent to the postponement of the Vote, as hon. Gentlemen did not know whether it was a loan or whether it was a grant.

THE CHANCELLOR OF THE EXCHEQUER admitted that the suggestion of the right hon. Gentleman was a reasonable one, and therefore he would agree to withdraw the Vote for the present.

Motion, by leave, *withdrawn.*

(30.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £30,240, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves, and towards defraying the cost of the Agency and Consulate General at Zanzibar, including payment of the Imperial Moiety of the Muscat Subsidy."

DR. KENEALY moved that Progress be reported. ["No, no!"] Hon. Members had been discussing these Estimates for five or six hours, and he, for one, now felt quite worn out.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Kenealy.*)

THE CHANCELLOR OF THE EXCHEQUER expressed the hope that the hon. Gentleman would not press his Motion, as there were only a few more of the Supplementary Votes to be taken.

MR. RYLANDS trusted that the important Votes would not be proceeded with at so late an hour — about 10 minutes past 12.

MR. PARNELL recommended that hon. Members should go on till the end of the half-hour, when, as other Opposed Business could not be taken up, they could get home to bed.

MR. GOLDSMID supported the latter view of the case.

MR. WHALLEY thought that the subject raised by the Vote now before hon. Members was important, and demanded careful consideration on the part of the Committee. The Seyyid of Zanzibar was prepared to do all that could be expected from him with reference to a suppression of the Slave Trade, and would enable men of enterprize to make roads from the coast to the interior of Africa.

THE CHANCELLOR OF THE EXCHEQUER wished to make only one remark on that Vote—namely, that the payment they were now asked to make was not one to the Seyyid of Zanzibar, but a repayment to the Indian Government. That money had been advanced by the Indian Government; and, considering how much that matter affected our Imperial policy with regard to the Slave Trade, he was sure the Committee would naturally be anxious to set the account right with the Indian Treasury without delay; he therefore hoped the Committee would pass that Vote, and then he should have no objection to report Progress.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

MR. WHALLEY desired to know whether the Government were prepared to support the enterprize in which Englishmen had been invited to embark by the Sultan of Zanzibar, of constructing a road into the interior of Africa?

MR. BOURKE assured the hon. Gentleman that the matter would not be overlooked by Her Majesty's Government.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. William Henry Smith.*)

MR. PARNELL opposed the Motion, as he thought it better to proceed with the business in hand than enter at that hour upon the discussion of a series of Bills, 13 in number, every one of which required mature consideration. It was clear the object of the Government was to get to the other Business before the half-hour was reached. He should strongly oppose this method of procedure, because he feared if the Government resorted to these tactics they should have a recurrence of the lamentable scenes of last Session—scenes which did not tend to raise the House in the eyes of the country. The amount of work they had to get through was a heavy task, and sooner or later Parliament would break down, unless the business of the separate nationalities was handed over to home Legislatures.

Mr. WHALLEY believed the hon. Gentleman who had just sat down was a Member of the Home Rule Party, and he therefore wished to know from the hon. and learned Member for Limerick (Mr. Butt) if it was a part of the policy of that Party to kill the other Members of the House, by prolonging the discussions of the House at that late hour of the night. He appealed to the hon. and learned Member, as he had a character to lose in the House, or rather a character to maintain. He protested zealously and solemnly against the absurdity and ridicule to which they exposed themselves by the course they were pursuing. He had done as much as any man could do in attending to his duties, but he was no longer able to do it, and must retire immediately. They could not but impair the confidence of the public in the result of their labours. The hon. Genman openly stated that he did not sit to forward Imperial objects.

Mr. PARNELL denied that he had made use of the word Imperial.

Mr. WHALLEY considered the hon. Gentleman was not in the House for any purpose whatever that was recognized by the forms and spirit of the Constitution.

The CHAIRMAN reminded the hon. Gentleman that he was out of Order in attributing such motives to the hon. Member for Meath.

Mr. WHALLEY said, nothing was further from his intention than to say anything offensive to the hon. Member, and was only endeavouring to do justice to that spirit of patriotism by which the hon. Gentleman was animated.

Mr. BUTT said, as he had been appealed to, he wished to say that it was not any part of the Home Rule policy to kill hon. Members.

Mr. BIGGAR said, he had no wish to kill any hon. Member. He had been blamed as an obstructionist, but his sole object in opposing many of the measures on the Paper last week was only to prevent them being brought on at a time when discussions on important measures would not be reported.

Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Mr. Parnell

SETTLED ESTATES BILL—[Bill 61.]

(*Mr. Marten, Sir Henry Jackson, Mr. Gregory.*)

SECOND READING.

Order for Second Reading read.

Mr. BIGGAR objected to any Bill of importance being taken at that hour of the night. He did not know what the value of the Bill might be; but he opposed the Bill being read a second time on the principle he had stated, and not because he wished in any way to obstruct business.

Second Reading *deferred* till *To-morrow.*

PUBLICANS CERTIFICATES (SCOTLAND) BILL—[Bill 87.]

(*Dr. Cameron, Mr. Ramsay, Mr. Mackintosh.*)

SECOND READING.

Order for Second Reading read.

Dr. CAMERON, in moving that the Bill be now read a second time, said, that as several hon. Gentlemen seemed to object to Bills being introduced without explanation at so late an hour, he might just say that it had been introduced simply with the object of correcting a mistake which had crept into the Act of last Session.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

BEER LICENCES (IRELAND) BILL.

(*Mr. Meldon, Mr. Charles Lewis, Mr. Whitworth.*)

[Bill 57.] COMMITTEE.

Order for Committee read.

Motion made, and Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title. "Beer Licences Regulation (Ireland) Act, 1876.")

Mr. ONSLOW said, he did not intend to offer any strong opposition to the Bill, and when the hon. Gentleman moved for its second reading, he offered no objection. He had only risen to say that he hoped hon. Gentlemen would take a leaf out of his book, and when they saw a useful Bill before the House refrain from opposing it.

MR. PARNELL said, that if the hon. Gentleman who had last spoken had opposed the Bill on the ground of the lateness of the hour, he (Mr. Parnell) would have supported him; but since there was no disposition on his part to do so, he did not see any particular relevancy in the remarks he had made.

Clause *agreed to.*

Clause 2 (No licences, transfers, or renewals for sale of beer, &c. by retail for consumption elsewhere than on premises to be granted in respect of premises rated at less that £10, nor in cities, &c. with a population of exceeding 10,000, unless premises are rated at £20.)

On the Motion of Mr. MELDON, Clause amended by inserting the word "January" instead of "July," and the word "general" instead of "special."

Clause, as amended, *agreed to.*

Remaining clauses *agreed to,* with Amendments.

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next. [Bill 101.]

VALUATION OF PROPERTY (IRELAND) BILL.

LEAVE. FIRST READING.

MR. W. H. SMITH, in moving that leave be given to bring in a Bill to amend the Law relating to the Valuation of Rateable Property in Ireland, said, that under the existing law a borough or portion of a county could not be re-valued by itself. The result of that system had been that there had been no re-valuation, no change in the adjustment of property in Ireland for the last 25 years, although there had been great changes, indeed, in the value of the property. The Grand Juries had power to apply for revisions of the counties; but, as it would increase the charges on their neighbours or friends, it was seldom that they did so. In the present measure it was proposed to frame a new Schedule of prices. That Schedule was to be based on exactly the same basis as the Schedule to the Act of 1852, and the most careful statement of those prices had been obtained from the principal market towns of Ireland. The terms of the Act of 1852 were based on the average of three years' prices—namely, the average of 1848-9-51, and it was proposed that the Schedule in the present measure should be based on the average of the prices for 1874-5-6. Under the old system, the whole expense fell on the counties; but it was now proposed that only half of the expense of the re-valuation should be borne by the county, and the other half by the Exchequer. There was also provision that from time to time new Schedules of prices should be obtained by the authority of the Lord Lieutenant. The hon. Gentleman concluded by making the Motion.

CAPTAIN NOLAN said, he did not intend to offer any opposition to the Bill at that stage. It might settle many inequalities and anomalies in Ireland. He hoped the second reading would be postponed until the Bill was printed and the people of Ireland had had sufficient time to consider its provisions.

MR. BUTT said, that the people in Ireland had borne their fair share of taxation for a very long time, and they would not complain if this Bill tended to lessen their burdens.

MR. PARNELL did not see what the object of the Bill was. It would probably raise the valuations and press heavily on the farmer, especially for arable land, the occupiers of which would have their valuation increased, both for their improvements and from the rise in prices.

Motion *agreed to.*

Bill to amend the Law relating to the Valuation of Rateable Property in Ireland, *ordered* to be brought in by Mr. WILLIAM HENRY SMITH, Sir MICHAEL HICKS-BEACH, and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 102.]

POLICE SUPERANNUATION FUNDS.

Select Committee *appointed,* "to inquire into the Police Superannuation Funds in the Counties and Boroughs of England and Wales, and the Acts creating and regulating the same, and to report to the House whether any, and, if any, what alterations or amendments in the Law are required."—(*Sir Henry Selwin-Ibbetson.*)

And, on February 27, Committee *nominated* as follows: — Mr. BIDDULPH, Mr. COTES, Mr. COWPER, Mr. GOURLEY, Mr. LEEMAN, Mr. GRANTHAM, Mr. TORR, Mr. FAIRFAX CARTWRIGHT, Colonel DYOTT, and Sir HENRY SELWIN-IBBETSON:—Power to send for persons, papers, and records; Three to be the quorum.

COMMONS.

Ordered, That a Select Committee be appointed, Six Members to be nominated by the House and Five by the Committee of Selection, to consider every Report made by the Inclosure Commissioners certifying the expediency of any Provisional Order for the inclosure or regulation of a Common, and presented to the House during the present Session, before a Bill be brought in for the confirmation of such Order.

Ordered, That it be an Instruction to the Committee that they have power, with respect to each such Provisional Order, to inquire and report to the House whether the same should be confirmed by Parliament, and, if so, whether with or without modifications; and, in the event of their being of opinion that the same should not be confirmed except subject to modifications, to report such modifications accordingly with a view to such Provisional Order being remitted to the Inclosure Commissioners.—(*Sir Henry Selwin-Ibbetson.*)

And, on March 12, Committee *nominated* as follows:—Mr. SCLATER-BOOTH, Sir CHARLES W. DILKE, Sir WALTER BARTTELOT, Mr. FAWCETT, Mr. PELL, and Mr. LEVESON GOWER:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock

HOUSE OF LORDS,

Tuesday, 27th February, 1877.

MINUTES.]—PUBLIC BILL—*Second Reading*—Public Record Office (8).

PUBLIC RECORD OFFICE BILL—(No. 8.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that as their Lordships were aware, there was a large number of documents of a public character which were deposited in the Public Record Office, and were there under the charge of the Master of the Rolls. Of course, the preservation of those documents was a matter of great public interest. On the one hand, it was obvious that while a large portion of these were such as should never be destroyed, but kept with the most jealous care, on the other hand, there were a large number which could never be of any value. It was, therefore, important that provision should be made to prevent the destruction by any means of such of them as ought not to be destroyed; and, on the other hand, to take steps for getting rid of those the preservation of which could serve no useful purpose. He was not now proposing any positive scheme for the production of documents; but, following a suggestion which had been made on the subject, he was asking their Lordships' assent to a Bill which would enable the Master of the Rolls, as the head of the Record Office, with the sanction of the Treasury or head of the Department to which the particular class of documents might belong, to make rules for the destruction of such documents as were of no, or of small, value. Such rules were, however, not to be acted on until they had been laid before Parliament for the usual time—40 days. Two years ago there was laid on the Table of their Lordships' House a memorandum on this subject by Sir Duffus Hardy, the Deputy Keeper of the Records. In a schedule attached to that memorandum their Lordships would see samples of documents which would illustrate what he had said as to the inutility of papers which now occupied a large amount of space. It included documents connected with legal proceedings three or four centuries ago, and which could never by possibility be of any use.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE EARL OF HARROWBY urged that very great care should be used in dealing with the public records of the country. It was much more prudent to act on the principle of preserving too much than of destroying too much. There had been in former times a great loss of such records by careless handling. The fact that the public records were now in the custody of the Master of the Rolls was a security against such handling; but danger might arise after the passing of such a Bill as this if the liberty of destruction were not surrounded with strict precautions. Documents which at one time might appear to be of no importance whatever might in the course of legal proceedings subsequently adopted turn out to be of extreme importance. He did not think much of the precaution of laying the Rules on the Tables of both Houses of Parliament, because experience had frequently shown that there was no revision; and, practically, the Rules would be those of the Master of the Rolls only. The Deputy Keeper of the Records had suggested a standing Committee of three persons, who should all be men of practical and general knowledge, as well as of legal and historical acquirements, without whose consent no document could be destroyed, and he regretted that there was no provision in the Bill for the appointment of such a Committee.

THE DUKE OF SOMERSET thought that the Bill provided due precautions against the destruction of useful documents.

THE LORD CHANCELLOR reminded their Lordships that the Bill contained no schedule of documents, and that the schedule annexed to the Memorandum referred to was merely an illustrative one. The Master of the Rolls might adopt the suggestion for the appointment of three persons, or frame any other plan which he might think advisable, subject always to the consent of the Secretary of State or other head of the particular Department and the subsequent sanction of Parliament.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at half-past Five o'clock,
to Thursday next, half-past
Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, 27th February, 1877.

MINUTES.]—SELECT COMMITTEE—Tramways (Use of Mechanical Power), *appointed;* Police Superannuation Funds, *nominated.*

SUPPLY—*considered in Committee*—CIVIL SERVICES AND REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES FOR 1876-7—*Resolutions* [February 26] *reported.*

PUBLIC BILLS—*Second Reading*—Settled Estates * [61].

Committee—Forfeiture Relief * [60]—R.P.

Committee—*Report*—Publicans Certificates (Scotland) * [87].

SAINT GILES AND SAINT LUKE'S JOINT CHARITIES BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GREGORY, in moving that the Bill be read a second time that day six months, said, it dealt with certain charitable funds originally left to the parish of St. Giles without, Cripplegate, which was now divided into the parishes of St. Giles and St. Luke. At that division, in the early part of last century, these funds were appropriated in certain proportions between the two parishes, and in 1732 an Act was passed which confirmed the prescriptive right of the two parishes to their respective portions. The parish of St. Luke had, however, greatly increased in population, principally of the poorer classes; and this Bill proposed to abstract from St. Giles's parish a portion of those charities which it possessed both by prescriptive and Parliamentary title. He opposed this attempted interference with the rights of property.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gregory.*)

MR. W. M. TORRENS said, that the donors of these charities in times past undoubtedly gave their money for the joint benefit of the two parishes, and the funds should be administered by the Charity Commissioners. He wished to show the House that the promoters of the Bill were acting with complete *bona fides.* The charities were given for a parish which had ceased to be populous, and one which had grown populous and poor. The richer parish was willing to treat the poorer one liberally, but they said their hands were tied, and the promoters now came to Parliament to have that shackle removed. The charities being for the joint benefit of the two parishes, it could not be said that the richer portion, which was thinly populated, should reap the benefit at the expense of their needier and more numerous neighbours, and he thought, therefore, that the distribution should be made according to the numbers and poverty of the applicants. He undertook to get rid of the 4th clause and of the proposed limitation on the power of the Charity Commissioners to deal with the subject. He agreed that the subject should be referred to them, and hoped the House would give the Bill a second reading, in order that, like all other local Bills, it might be referred to a Select Committee.

MR. GOSCHEN said, his hon. Friend had put the case with considerable ability, but he wished the House to understand that this was not so simple a question as they had been asked to believe—namely, as to whether St. Luke's was entitled to a share of these charities. There was much more in it than that. The Bill proposed to prevent the carrying out of certain schemes of the Charity Commissioners, and the promoters of it characterized the way in which these Commissioners dealt with the matter as an abuse of the original intention of the donors. What the promoters wished to do was to apportion the distribution to the numerical strength of a part of the parish. Cripplegate, on the other hand, thought that the charity was no longer to be dealt with by distributing doles, but in a manner more in accordance with modern views. In his opinion, those who sustained the schemes of the Charity Commissioners and opposed this Bill had more reason on their side than the promoters. He would like to see the whole of the City charities reformed. He opposed the second reading of the Bill.

MR. ROEBUCK said, he should advise the House in cases of this kind to allow the Bill to take its usual course. He felt that in a private and complicated matter of this kind the House was incompetent to deal thoroughly. For himself, notwithstanding the speeches that had been made, he confessed he did not understand the matter, and therefore he thought it far better that the Bill should go upstairs to a Committee, where it could be thoroughly dealt with.

LORD FRANCIS HERVEY said, the House was not called upon to pronounce an opinion upon the merits or demerits of a system of doles. Neither was the House asked to interfere with the rights of property in any other way than that in which such rights had been dealt with scores of times in schemes of the Charity Commissioners, and under Parliamentary sanction. The only question was whether the Bill was so plainly bad and unreasonable as to make it necessary for the House, by rejecting it at this stage, to withdraw it from the consideration of the usual tribunal. The facts of the case were very simple, and the House was in a position to consider it upon its merits. The parish of St. Giles' had formerly consisted of two parts, a lordship and a liberty part. Charities were left some to the lordship, some to the liberty portion, and some again for the benefit of the undivided parish of St. Giles'. These last mentioned charities were the subject of the present Bill. In 1732, St. Giles' was divided into two parts, and at that time a plan of apportionment which had been agreed upon 30 or 40 years before was adopted by Parliament. Since then the circumstances of St. Luke's and St. Giles' had entirely changed. St. Giles' had become a great business centre, with a very small residential population and few poor. St. Luke's which was then a country district, given up to the plough and the crook, and the milk-maid had grown enormously, and had now a dense and destitute population. He hoped that his hon. Friend would withdraw his opposition to the Bill.

MR. SULLIVAN said, he was about to oppose the second reading of this Bill, because sending it upstairs meant a waste of the charity funds, part of which would really go into the hands of those who promoted it. Nothing else could accrue from carrying out the design of the hon. and learned Member for Sheffield (Mr. Roebuck). Besides, to interfere in the sense which the promoters advocated was to destroy a decision that had been come to in 1732, when a just settlement of the claims had been arrived at.

MR. RAIKES said, he had listened to the speeches of hon. Gentlemen, but he confessed they did not touch the most objectionable clause in the Bill. Something had been said about the insufficiency of the proposition which proposed to transfer property from one hand to another on the alleged poverty of one part of the parish. There was some force in that objection; but that House had always been anxious to do what it could for those who were too poor to help themselves. The worst feature in the Bill was that in the 4th clause, which proposed to refer this matter either to private arbitration or to the Charity Commissioners; and he confessed that seemed to him an undesirable manner of dealing with money belonging to a parish. He understood, however, from the hon. Member who had charge of the Bill (Mr. Torrens) that the 4th clause was to be taken away, and that the management of these funds was to be handed over simply to the Charity Commissioners. Due regard would doubtless be had to the poverty and numbers of the recipients of these charities; but that should be left to the discretion of the Commissioners. He also understood that the hon. Member would withdraw the limit which the Bill proposed to put upon that discretion. This removed the main objection he had to the Bill. As to the argument that they were now asked to break a former Act of Parliament, that might be equally urged against any Bill dealing with matters which had formed the subject of previous legislation. The settlement of 1732 might have been adapted to the circumstances of the time in which it was made, and yet be wholly unsuited to the wants of 1877. When they had put the charge of the administration of charity funds in the hands of a recognized body, the House should not lay down rules for their guidance. Being entrusted with certain functions, they should be allowed to use their judgment, and trusted to do their duty properly. As the matter was to be referred to the Charity Commissioners, he thought it would be wrong to reject the Bill on the second reading.

MR. ISAAC said, the charity had been administered, from its inception to the present time, in strict accordance with the intentions of the donors; but he did not object to the administration being transferred to the Charity Commissioners, believing that the Commissioners would continue to distribute the funds on the same principles; but he urged that the Bill should be withdrawn, and framed more in harmony with the declarations now made by the hon. Members for Chester and Finsbury (Mr. Raikes and Mr. Torrens).

SIR ANDREW LUSK thought it would be simply monstrous to have the money of those charities administered as at present; it would be far better to have them managed more in accordance with modern ideas. The parish of St. Giles' was simply acting the part of a dog in the manger. He was told that they had already £3,000 in the bank, and did not know how to use it. He hoped the Bill would be sent before a Committee upstairs.

MR. W. E. FORSTER rose to ask a question. He was surprised to find that they were discussing a Private Bill in regard to endowments. Generally speaking, endowments were provided for by schemes from the Charity Commissioners; but he was told that the reason why this Bill had been introduced was that an Act was passed in 1732, and unless there was a Bill to prevent the operation of that Act the scheme could not come into operation. As the Bill was first brought forward it would appear to decide what that scheme should be; and he wished to ask whether the alterations now made would simply take away the binding effect of the previous Act and send it to the Charity Commissioners to frame a scheme, thereby putting the charity in the same position as other charities.

MR. RAIKES said, the Bill, as presented to the Committee, was simply to be a Bill to give power to the Charity Commissioners to do that which they could not do without such an Act. They could not carry out a general scheme unless the old Act was repealed.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

TRAMWAYS (USE OF MECHANICAL POWER.)

MOTION FOR A SELECT COMMITTEE.

MR. RAIKES called attention to the private Bills introduced in the present Session with the view of employing steam or other mechanical power upon tramways, and moved that a Select Committee be appointed

> "To consider how far, and under what regulations, the employment of steam or other mechanical power may be allowed upon Tramways and public roads."

The hon. Gentleman said, his attention

was first called to this subject by a report made to him at the commencement of the Session by the Board of Trade, who, finding themselves confronted by a large number of applications for provisional orders for steam tramways, and having observed that there were coming before Parliament also a large number of private Bills relating to steam tramways, thought it was desirable, if possible, to arrive at some harmonious mode of action by which regulations to the same effect should be enforced by the Board of Trade in the case of Provisional Orders, and by Parliament in the case of Bills. The Bills before Parliament for this Session with regard to the application of steam or mechanical power to tramways were nine in number. They were the Birkenhead Tramways Bill, the Dublin Central Tramways Bill, the Edinburgh Street Tramways Bill, the Galway Tramways Bill, a Glasgow Bill, an Ipswich Docks Bill, and Leeds, Leicester, and North Metropolitan Bills. Six of these would come before the House of Commons; the other three would be commenced in the House of Lords. There were also applications before the Board of Trade for Provisional Orders for Bristol, Dewsbury, Nottinghamshire, Sheffield, Swansea, and Wolverhampton. We were therefore on the eve of considerable and important legislation upon a very interesting subject. He might point out the different ways in which these Bills approached the question of regulation of the steam power to be applied to tramways. Birkenhead proposed that the consent of the Board of Trade should be obtained; Dublin proposed that the carriages might be moved by animal, steam, or any other power, but made no reference to the Board of Trade. The Edinburgh Street Tramways Bill proposed to require the consent of the Local Authority to the use of steam. The Galway Bill, like the Dublin one, made no reference to the Board of Trade or Local Authority. The Glasgow and Ibrox Bill provided that the consent of the Board of Trade should be necessary. The Ipswich Bill would require the consent of the Urban Sanitary Authority to the use of steam, but said nothing as to the Board of Trade. Leeds and Leicester both proposed to obtain the Board of Trade's consent to the use of steam or mechanical power, and so also did the North Metropolitan Tramway Company. There were thus three or four different modes of procedure contemplated by the different Bills. In the case of the Dublin Tramways Bill it was with considerable difficulty he had found out that there was a clause in the Bill proposing to use steam or mechanical power at all. The House had passed two Acts last year relating to steam tramways, the first in the form of a private Bill—the Vale of Clyde Steam Tramways Bill—which was an unopposed Bill, and in that character it came before him, when he pointed out to the promoters of it that it was only sanctioned as an experiment. The other Bill was passed through the Board of Trade as a Provisional Order Bill, and referred to the Wantage Steam Tramways. These were the only two instances in which Parliament had licensed the application of steam or other mechanical power to tramways, and therefore the Bills that were brought in this year might be said to furnish practically the first occasion on which Parliament had to deal with this question in bulk. By the General Tramways Act, 1870, Clause 34, it was provided that all carriages used on any tramway should be moved by the power prescribed by the special Act, and where no such power had been prescribed that animal power should be employed. From that it appeared that Parliament had in its mind at the time the possibility of other than animal power being employed, but no general principle was laid down as to its desirability or undesirability. What was now wished was that Parliament should lay down some uniform system of dealing with these Bills, and that it should be one which could be dealt with by the Board of Trade by Provisional Order. Some hon. Members might think that by the appointment of this Committee the case might be prejudged; but he had drawn out his Resolution in such terms as not to prejudge the case, and he had only followed upon the lines laid down in the General Tramways Act. In the year 1864 a Committee of this House was appointed to join a Committee of the House of Lords to consider various points in connection with the railways of the metropolis, and they also resolved that it was expedient that an inquiry should be instituted in the following Session, in connection with the Lords, as to the system of metropolitan tramways. In 1872 a Joint Committee was appointed, which resulted in the adoption of the present system. On consulting with Earl Redesdale, Chairman of Committees in the House of Lords, it was considered not desirable to ask for the appointment this year of a Joint Committee, and therefore it was that he now proposed the appointment of this Committee. He hoped that the House would see no difficulty in granting the Committee, and he promised them that he would use his endeavours to secure on that Committee the services of hon. Members who were an authority in that House, and lay down a satisfactory mode of procedure for the future. By the appointment of the Committee at that early period of the Session he believed they would be able to complete their labours before Easter, so as not to interfere with the progress this Session of the different schemes before Parliament. In the meantime, he had suspended proceedings on existing Tramway Bills until the Committee should have reported.

SIR JAMES HOGG expressed his satisfaction that this subject had been brought before the House. It was a serious question how far tramways should be extended, and whether steam or other mechanical means should be used for the purpose. The Metropolitan Board of Works had considered that it would not be part of their duty to withhold their consent from the bringing of these various schemes before the House, being desirous that the House should have an opportunity of expressing an opinion upon them; but, at the same time, they reserved to themselves full power to discuss the whole question as it arose. He trusted that the proposed Committee would be appointed, and that the whole of the schemes would be well considered before there was any further legislation in the matter.

MAJOR BEAUMONT also hoped the Committee would be appointed. It was extremely desirable that legislation upon this subject should proceed on a basis that was common and intelligible.

SIR EDWARD COLEBROOKE wished to ask whether the proposed Committee would embrace the question of locomotives on public roads generally. The hon. Gentleman confined his remarks to tramways alone, but the Notice on the Paper went beyond that and included locomotives on roads.

MR. CAWLEY remarked that the question was not whether there were to be tramways, but how they were to be worked? He was by no means clear that steam would be the motive power. Engines might be made to run quite as well on roads as on rails. When the difficulties as to horses were overcome tramways would doubtless increase.

COLONEL LOYD LINDSAY said, that the Council of the Royal Agricultural Society, through their President, last year petitioned the Home Secretary and the Board of Trade for permission for the use of steam power in country districts. It had been found that when steam power had been used it worked remarkably well, and it was found that those who were at one time most opposed to it were now as much in favour of it.

MR. THOMSON HANKEY asked whether it was not legal now to use steam engines on roads? His impression was that at the present moment engines could be used on the highways.

MR. RAIKES said, he did not attach so much importance, so far as this reference was concerned, to the use of steam power on public roads as he did to its use on tramways. The Committee, if appointed, would, however, he had no doubt, find an opportunity of conveying to the House great and important information as to the use of locomotives on roads. The two subjects were closely connected, and it would be difficult to inquire into one without the other. He preferred to leave the terms of reference as he had drawn them. Locomotives could now be used on public roads if they complied with the Act on traction engines. There was a Bill before Parliament proposing to alter the law with regard to locomotives on roads, and he hoped to be able to propose that the hon. Member who was in charge of that Bill should be a Member of this Committee.

Motion *agreed to.*

Select Committee *appointed,* "to consider how far, and under what regulations, the employment of steam or other mechanical power may be allowed upon Tramways and public roads."

And, on March 1, Committee *nominated* as follows:—MR. SALT, MR. LYON PLAYFAIR, MR. GOLDNEY, MR. B. SAMUELSON, MR. FLOYER, MR.

Mitchell Henry, Mr. Pell, Mr. M'Lagan, Mr. James Corry, Major Beaumont, Viscount Holmesdale, Mr. Cotes, Colonel Loyd Lindsay, Mr. Evans, and Mr. Hick:—Power to send for persons, papers, and records; Five to be the quorum.—(*The Chairman of Ways and Means.*)

THE CATTLE PLAGUE—OUTBREAK AT HULL.—QUESTIONS.

Sir WALTER BARTTELOT asked the Vice President of the Council, Whether inquiries have been instituted with reference to the origin of the outbreak of cattle plague in Hull; and, if so, with what result? He wished also to know whether there had been any fresh outbreak of plague since the noble Lord had last addressed the House on the subject?

Mr. NORWOOD asked if the noble Lord is now able to state the "detailed" information to which he referred when he expressed on Thursday last his belief that the outbreak of rinderpest at Hull was caused by infection which came direct from Germany?

Viscount SANDON: I fear I cannot give any positive information as to the origin of the outbreak of cattle plague at Hull; but the inquiry which has been made confirms, I think, though indirectly, the statement I made last week, that we had reason to believe that it was imported from Germany, but we have only presumptive evidence on the subject. On January 14 a cargo of 25 cattle was landed at Hull from Hamburg within the part of the port defined for slaughter, and on the following day, the 15th, the cargo of animals largely affected by the cattle plague, the arrival of which in London created so much alarm, reached Deptford also from Hamburg. Shortly after the landing of the animals at Hull the Inspector ascertained that several of them were affected with the foot-and-mouth disease, and the following day one of them was found to be very ill, and was immediately slaughtered. From the account which the Inspector has given of the symptoms and of the *post-mortem* appearance there is no doubt that this animal was the subject of cattle plague. All these animals were slaughtered in the defined part of the port. It was not till the 17th of February that any case of cattle plague was detected in a living animal in the dairies of Hull; but it has been ascertained that one dairyman had got rid of all his stock previously to that period, but he asserts that he sent them to the butcher. The other cases which I mentioned as having occurred in Hull were detected after this on an inspection of all the dairies. No fresh cases have been reported since the last information which I gave to the House—that is to say, since the 20th of February.

LICENSING—THE MIDDLESEX MAGISTRATES.—QUESTION.

Sir PATRICK O'BRIEN asked the Secretary of State for the Home Department, Whether the attention of the Government has been directed to the large amount of labour and responsibility at present imposed upon the Middlesex Bench of Magistrates (in addition to other duties) in deciding upon the granting and transferring of licences to public houses, music halls, and other places of entertainment in the populous boroughs of Westminster, Chelsea, Marylebone, Finsbury, &c.; and, whether the Government deem it expedient to introduce a measure limiting the jurisdiction of the Bench to the county of Middlesex proper, as distinguished from the large area included in the before-mentioned boroughs?

Mr. ASSHETON CROSS, in reply, said, the magistrates of the county of Middlesex had, he believed, like the magistrates of every other county, the duty imposed upon them by statute of transferring licences of public-houses, irrespective of the question whether certain Parliamentary boroughs which had not magistrates of their own, were included in their area or not. They had also, under the Act of George II., the duty to discharge of granting licences far music and dancing. He had made inquiry at the Home Office, but did not find that any complaint had been made by the Middlesex magistrates with regard to the duties which were imposed upon them; and therefore he did not think it expedient to introduce any measure for such a limitation of jurisdiction as that which the Question of the hon. Baronet indicated.

TURKEY—THE CONSULAR SERVICE IN BULGARIA.—QUESTIONS.

Mr. H. B. SAMUELSON asked Mr. Chancellor of the Exchequer, Whether any large reductions have been made in the Consular Service in Bulgaria or in the Balkan district recently, which prevented full information reaching us of what occurred in Bulgaria last year; and, if so, what those reductions have been; whether a Vice Consul was not stationed at Adrianople during and prior to the disturbances in the Balkan district, who had means of constant communication with Sir Henry Elliot; and what Consular representatives we have in Bulgaria and the Balkan district; and, if he would explain to the House whether there was anything to prevent the Vice Consul at Adrianople from making free use of the Railway between Adrianople and Tatar-Bazardjik (about 110 miles), upon which trains were running upon May 1st, as stated by Mr. Baring in his Report?

THE CHANCELLOR OF THE EXCHEQUER: I think the most convenient course for giving the information which the hon. Gentleman appears to desire, as to the state of the Consular Service in these districts, will be by his moving for such Returns as can be laid upon the Table. With regard to the Question whether any large reductions have been made in the Consular service in Bulgaria or in the Balkan district recently, which prevented full information reaching us of what occurred in Bulgaria last year, that is a matter of opinion, and, therefore, I can hardly give an answer to the Question. With regard to the second Question, the hon. Gentleman will see from the Blue Book that Mr. Dupuis was stationed at Adrianople during and prior to the disturbances in the Balkan district, and, of course, had means of, and was in constant communication with Sir Henry Elliot. No other Consular representatives were, I believe, in the disturbed districts at that time. The nearest Consular representatives were at Rustschuk, on the Danube, and at Varna and Burgas, on the Black Sea. I am not aware that there was anything to prevent the Vice Consul at Adrianople from making free use of the railway between Adrianople and Tatar-Bazardjik, supposing that he was able to leave his post at Adrianople; but I am unable to give any information on this point. I may mention that a Vice Consul has since been appointed at Philippopolis.

MR. GLADSTONE: My right hon. Friend says that he has no means of giving information as to Mr. Dupuis being able to use the railway. Perhaps the Government will be kind enough to ascertain whether the statement is correct, which I believe has been pretty freely made in and out of this House, that Mr. Dupuis was paralytic and totally incapable of visiting the district or conducting the inquiry?

THE CHANCELLOR OF THE EXCHEQUER: I will make inquiries on the subject.

BREWERS' LICENCES — SELECT COMMITTEE.—QUESTION.

SIR EDWARD WATKIN asked Mr. Chancellor of the Exchequer, If he will afford facilities for the early discussion of the appointment of a Select Committee to consider Brewers' Licences?

THE CHANCELLOR OF THE EXCHEQUER: I observe that the hon. Member has a Notice for Thursday to bring forward a Motion for the appointment of such a Committee. I apprehend that, as it will not come on till after the Orders of the Day are disposed of, there will not be very much opportunity for any full discussion of the subject at that time. I have already informed the hon. Member that I could not, on the part of the Government, assent to the appointment of a Committee; and I am afraid I must tell him that I do not see my way to give him any Government time for the discussion of his Motion.

TURKEY — THE PETITION FROM BULGARIA.—QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, If he will keep back the original Bulgarian Petition and send out only a copy without the names; or, if the names have been already sent, if he will telegraph to the British Chargé d'Affaires that they must be kept strictly confidential, so that they can in no way reach the Turkish authorities?

MR. BOURKE: I thought yesterday that this Petition had been sent to Constantinople. I knew that it had passed through the office, and that it was only waiting for the messenger to go to Constantinople. He has to go the day after to-morrow, that being the usual day for sending a messenger to Constantinople. I have asked my noble Friend at the head of the Foreign Office, and he has no objection to a copy of the Petition being sent without the signatures. The copy of the Petition was in French, and the original Petition, which was in Bulgarian, and had a great number of Bulgarian names attached to it, would remain in the Foreign Office.

Mr. ANDERSON wanted to know whether a copy of the names would be sent?

Mr. BOURKE: The signatures are all in the Bulgarian language, and they will remain in the Foreign Office. No copies of them will be sent.

THE MAGISTRACY—THE MAYOR OF BURY, LANCASHIRE.—QUESTION.

Mr. PHILIPS asked the Secretary of State for the Home Department, Whether there is any objection to the Mayor of Bury, Lancashire, he being duly qualified and having taken the correct oaths, taking his seat on the County Petty Sessional Division Bench, to exercise jurisdiction within the borough of which he is Mayor?

Mr. ASSHETON CROSS: As soon as my attention was called to this matter I placed myself in communication with the magistrates in order to obtain a proper statement of the facts. It arrived yesterday or the day before. As, however, a curious point arose as to the jurisdiction, I thought it right to consult the Law Officers of the Crown. I have not yet received their opinion; but as soon as I receive it I will communicate again with the hon. Member.

UNITED STATES—THE PHILADELPHIA EXHIBITION.—QUESTION.

Mr. RIPLEY asked the Vice President of the Council, When the Reports of the Commissioners who visited the Philadelphia Exhibition will be placed upon the Table of the House, and be in the hands of Members?

Viscount SANDON: Most of the Reports of the Judges from this country and all those of the Colonial Commissioners, some of which are of great interest, have been received and are passing through the Press. It is hoped that the complete Reports on the Exhibition, which closed at a late date in 1876, will be presented to Parliament soon after the Easter Recess.

PUBLIC HEALTH, IRELAND—VACCINE LYMPH.—QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, What arrangements have been made in connection with gratuitous supply of vaccine lymph in Ireland; and if medical men in Ireland have the same facilities afforded to them for obtaining vaccine lymph gratuitously as medical men in England; and, what is the reason the details of the sum of £1,200, set down in the Estimates for expenses in connection with the gratuitous supply of vaccine lymph, are not given?

Sir MICHAEL HICKS-BEACH: A grant of £400 a-year has been for some time made to the Dublin Cow Pock Institution to enable it to provide a supply of vaccine lymph for Ireland. The hon. Member called attention last year to the inadequacy of this grant for the provision of a fair supply of lymph. The subject was inquired into, and with the full approval of the Directors of the institution mentioned, it was decided that the grant to them should be discontinued, the whole subject put under the control of the Irish Local Government Board, and a sufficient sum placed at the disposal of the Board to provide a gratuitous supply of lymph for Ireland in the same way as is done for England. This new arrangement comes into force on the 1st of April next; the sum provided for this purpose is £1,200 a-year; but as the precise details of its application are not yet settled, they could not be given in the Estimate.

TURKEY—THE RUSSIAN ARMY.

QUESTION.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a telegraphic despatch in the Second Edition of the "Times" of this day stating that orders have been given for the demobilization of the Russian Army on the conclusion of peace between Turkey and Servia and Montenegro; and, whether any information has been received on this subject at the Foreign Office either from Her Majesty's Embassy at St. Petersburg or from the Russian Embassy in London?

MR. BOURKE: No confirmation, Sir, has yet been received officially at the Foreign Office of this statement. I am also commissioned by the Secretary of State for Foreign Affairs to state that he called this afternoon on the Russian Ambassador, who had not received any official information on the subject.

METROPOLIS TOLL BRIDGES BILL.

QUESTION.

MR. WATKIN WILLIAMS asked the honourable and gallant Member for Truro, Whether, as this Bill proposes to abolish offices, he will give an assurance that the Bill shall be referred to a Select Committee in order that the case of those interested shall be fully considered?

SIR JAMES HOGG, in reply, said, this Bill was based on the Report of the second Committee which investigated the subject last Session. It contained no compensation clauses; but if the House agreed to the second reading, he would move that the Bill be referred to a Select Committee, and he could promise that all those who were interested should have an opportunity of explaining their case.

MR. WATKIN WILLIAMS said, that after that explanation, which was so far satisfactory, he should not move his Amendment for the rejection of the Bill.

IRISH SOCIETY OF LONDON.

MOTION FOR A SELECT COMMITTEE.

MR. CHARLES LEWIS, in rising to call attention to the constitution of the Irish Society of London, and the management of its income and property, and to move—

> "That a Select Committee be appointed to inquire into the constitution, management, and annual expenditure of the Irish Society of London; and, further, to report as to what, if any, changes can be made in the governing body or the mode of administration in order to ensure a more economical and advantageous application of the property, or whether such result can be best attained by placing the property in the hands of public Trustees resident in Ireland,"

said, the nature of the case he had to present to the House was such that he hoped no apology was needed from him for introducing the subject; because, although the locality affected was represented in that House by four Members only, it was in reality a matter of great importance, inasmuch as it affected the privileges of the great Corporation of London, which had a large interest in the subject. The property which was the subject of the Motion was so extensive as to produce an annual rental of £14,000 gross, or £12,700 net. It was all situate in the county of Londonderry. The history of the property extended 250 years back. In the reign of James I., a large amount of property in the Province of Ulster, to the extent of 400,000 or 500,000 acres, having been forfeited by persons who were guilty of treason, it was then resolved to form a new plantation or colony in Ulster under a Charter. Accordingly, the large Companies which formed part of the Corporation of London were called in for the purposes of providing the requisite funds for settling and populating the new Colony. The original Charter was granted by King James I. in 1613. Shortly afterwards disputes arose between the Crown and the Corporation of London, the result of which was that in the reign of Charles I., in 1637, that Charter was annulled, and the Crown again took possession of the property. Subsequently, however, in 1662, King Charles II. granted a new Charter under altered conditions, under which the property, the subject of this Motion had ever since been regulated, and under which the Irish Society itself was originally created, and had continued down to the present day. Between the granting of the original Charter and the time of its annulment, the Irish Society had conveyed in severalty, as their own separate properties, to the 12 great City Companies of London, portions of the original estates which had been conveyed in bulk to the Irish Society by the original Charter; and the consideration for those conveyances was the good and valuable consideration of money paid by each of the 12 Companies for the purpose of the Ulster settlement and plantation. And here he begged it to be understood that he did not impugn the title to the property or attack the revenues of the several properties of the individual Companies — they were, no doubt, lawfully conveyed by the Irish Society between the granting of the original Charter and its annulment. Notwithstanding these conveyances, however, there was a large residuary property not conveyed to these individual Companies, and this was brought under, and specially made the subject of settlement, in the second Charter of Charles II. That property was called the indivisible portion of the old estate, and the House of Lords, in a judicial suit, had decided that this property was public trust property, and it was sufficient to show that the Charter of Charles II., under which the Society still existed, bore this character, to justify him in saying that this being public property, it ought to be used for the general purposes for which it was conveyed—namely, the benefit of the public. It was also necessary for him to state that this Charter dealt not only with the formation of the Irish Society; but it further provided for the municipal government of the city of Londonderry, and the town of Coleraine—and this, indeed, was the ground on which the old city of Derry had assumed its present name. This being the history of the case, it was his duty to show and to prove, on unimpeachable evidence, that the property thus vested in the Irish Society was held for public purposes, and for public purposes only. He had first, however, to state that although the present gross income from the property was £14,000, it had not, as the House would suppose, always produced that amount. Twenty-five years ago the income did not amount to more than £7,000; and antecedently, the figures were smaller still; but it had always been a property of a very substantial character, and was still an improving property, and likely in the future to become still more valuable and produce a larger income. The question now raised with respect to it was no new question. Already three Royal Commissions had dealt with this subject as incidental to the main purposes for which they were appointed—the Commissions upon the Corporations of England and Wales, upon the City of London, and upon the Corporations of Ireland; and each of these Commissions had inquired into this particular subject, and had, as he would presently show, condemned the present state of things. The last occasion on which the subject was brought before the House was in 1869, by the late Mr. Maguire, the esteemed Member for the city of Cork, and the then Chief Secretary for Ireland, Lord Carlingford, distinctly admitted that the present state of things could not be allowed to endure, and promised that the Government would take the matter into their serious consideration. That promise, however, like many others, ended without performance. But as regarded the Parliamentary position of the question, they had this—that the responsible Minister of the Crown, the Chief Secretary for Ireland, had admitted that the existing state of things required a remedy, and had promised the attention of the Government to it. Now, he believed he was entitled to state that the case set up out-of-doors by those who represented the Irish Society —though he doubted that it would be ventured on here — was, that these estates were their private property; that they were in no sense a public trust; that they might, if they so pleased, dispose of it for their own purposes, or of the City Companies, and that the Society were not responsible, in any public sense, and could not be dealt with as public trustees. The history of the dealings with this property by the Society was certainly very remarkable. When the income derived from it was small, the greater part was spent for the personal delectation of its members, and any surplus—if any there was—was handed over to the City Companies, where probably it was probably it was also spent upon dinners. When, however, the income increased, by degrees some light seemed to have broken in upon the minds and consciences of the Irish Society, for about 150 years ago they awoke to the propriety of devoting some part of their income to the public objects for which they were instituted, and up to 1823 about £500 a-year was devoted to public purposes. Between 1823 and 1832 a great improvement occurred, and the £500 was increased to £1,000 and £1,500 a-year. It could be proved, however, from the sworn documents of the Society, when on its defence in a Chancery suit, that between the years 1777 and 1831 about £2,000 a-year was paid to the City Companies as the primary recipients and *cestuis que trusts*—making in 60 years £120,000 so paid, in distinct breach of the primary trust upon which the Society held the property. Now, this property was given the Society for the public purpose of plantation, for making roads, bridges, and for the erection of the necessary public and municipal buildings of the two principal towns of the county of Derry; and at the very time this money was being misappropriated, and the £120,000 unlawfully put into the pockets of the 12 City Companies, the city of Londonderry was incurring a public debt and taxing its citizens for making a bridge over the Foyle, to connect two parts of the place, and for improving its port and harbour—the very public objects for which the property was given to the Irish Society. Now he came to a remarkable state of things. In 1823 the Irish Society was called upon by the Common Council of the City of London to account to that body for the appropriation of their revenue. They refused, contending that the Corporation of London had nothing whatever to do with the matter, that they were only responsible to the City Companies, whose property the surplus income was. In 1832 this remarkable change occurred. The Skinners Company thought they did not get enough of the money, that too much was spent by the Society upon its own responsibility, and for its own purpose, and that too much was given to the public. Accordingly the Skinners Company brought a suit in Chancery to compel the Irish Society to account for the application of their revenues, and to get a more equitable division, not between themselves and the public, but between themselves and the Irish Society, to the exclusion of the public. The scene then entirely changed. The Irish Society, in indignation at the exercise of their abounding discretion being interfered with, entirely changed their front, and would not give anything to the City Companies. While the suit was going on the system of administration—he was happy to say—entirely changed in the interest of the public, and from that day to this the City Companies had never received one farthing of the money. So that, after having refused to account to the Corporation of the City of London, because it was a matter personal and private between themselves and the City Companies, they then declined to pay money to those Companies because they alleged that they held it for the advantage of the public. The old adage was realized as to what happened when certain persons fell out. Well, then, was this public property—or, in other words, did the Irish Society hold it as a public trust—or was it, as they contended, private property? He could not understand how the Corporation of London—although otherwise unreformed—could have thought it was held as private property; for they were not a private association, and as a public corporation could hold only for public purposes. He must now trouble the House with a few extracts from important documents and decisions which dealt with the question—was this a public trust, or was it a private endowment? He would first read two sentences from the Charter of Charles II., by which the Society was constituted. The first recited—

> "That the Society did retain in its own hands such part of the same tenements and hereditaments as were not property divisible for defraying the charge of the general operation of the said plantation."

Then the intent of the Charter was described as followed:—

> "That there may be a new Society made by the new plantation in Ulster aforesaid, consisting of the like number of honest and discreet citizens of our city of London as the other and former Society heretofore consisted of, and that a new incorporation of the said city or town of Derry be constituted, and for the further and better settling and planting of the said county, towns, and places with trade and inhabitants."

It was upon this that the Skinners' Company proceeded. On the hearing, the Master of the Rolls decided in favour of the contention of the Irish Society—that they were not a body accountable to the City Companies, because their primary trust was a public trust and not a private trust. The Skinners' Company appealed to the House of Lords. Their Lordships confirmed the decision of the Master of the Rolls—that it was a trust held by the Irish Society for public purposes, and not for any other purposes. Lord Lyndhurst said—

> "Now, my Lords, if that be so, the conclusion I come to appears to me to be irresistible; they are public officers—they have public duties to perform of an important kind. By the terms of the Charter of Charles II., independently of any general reasoning, this property is given to them for these very purposes: they have applied it for these purposes. After they have satisfied the purposes, which are purposes entirely in their discretion, they been in the habit of paying over the surplus funds to the different Companies, in proportion to their original contributions; but that depends entirely on the will of the Society—I mean as to the amount. They are to exercise their judgment as to what is necessary for the performance of their public

duties, and after they have satisfied those duties, after they have applied to public objects what in their judgment—the fair exercise of their judgment—is necessary for those objects—then it is, and then only, that the surplus which remains, subject to their discretion, has been usually paid over to the Companies."

And then, at a later part of his judgment, he stated—

"Now it is perfectly clear, therefore, in this state of things, that they cannot be considered as trustees for the benefit of the Companies."

And Lord Campbell said—

"It seems to me that the object of the Crown was that public purposes should be attained by the trustees who had the management of these lands, and I am clearly of opinion that the purposes for which the grant was made still continue, and that they are and must ever remain trustees for the public."

He had then to point out that in this Skinners' suit the Society had taken up the position that they were public trustees, and were not accountable for their actions to any Company. A Royal Commission was appointed in 1851 or 1852 to inquire into the Corporation of the City of London; and the Irish Society being an *annexe* of the Corporation, they inquired also into the affairs of the Society. That Commission was as strong a one as had ever been appointed. It included as its Members the late Lord Taunton, Sir George Cornewall Lewis, and Mr. Justice Patteson. A Commission so appointed could not be considered a revolutionary body, neither could it be said that the conclusion to which they came could be considered as other than of the greatest weight. They reported that the Society, from its Charter and present practice, were mere trustees for the purposes declared in the Charter of Incorporation, and that—

"Though neither Lord Langdale nor the House of Lords decided what the claims of the Company might be upon a supposed surplus, it results from both these decisions that the objects of the Charter are so vast and various that they never could be satisfied by any funds at the disposal of the Society; and that, in fact, if the Society did its duty, no surplus could ever arise within any reasonable probability. Practically, therefore, the Companies have no interest in the revenues of the Society, because they can only be entitled (if they are entitled at all) to a surplus which has, and cannot have, any actual existence. It follows that there are no persons or bodies in this country beneficially interested in the receipt of the revenues."

He would now call attention to how the Governing Body, which had the management of this vast property in the North of Ireland, 500 miles away from Guildhall Yard, where it was administered, and of which the revenues were also local, was constituted. The Society had but one permanent member, the Recorder of the City of London. The right hon. and learned Gentleman was not present to tell the House what part he took in the management of the estates; but the gentleman who filled the office of Recorder at the time that Commission sat told the Commissioners that he had only attended one meeting of the Society. In fact, he (Mr. Lewis) believed that the only permanent member of the Governing Body was not in the habit of attending any of the meetings of the Society. The shifting members of the Governing Body consisted of the Governor, the Deputy Governor, and 24 ordinary members. The Governor, as a matter of form, was elected annually; but practically, inasmuch as he was always re-elected, he was a permanent officer, otherwise there would not be any continuity in the government of the Society. His hon. Friend opposite, the Member for Maidstone (Sir Sydney Waterlow) was elected in 1873, and had since been elected annually; and was, therefore, practically a permanent officer. The Deputy Governor was elected yearly, and the 24 ordinary members, of whom 12 were elected every year, continued in office only two years; so that, at the end of every two years, there was a complete change of the Governing Body. He understood there was what was always a crowd of candidates for these appointments, for to be elected a member of the Irish Society was considered one of the honours of the Corporation, and was therefore an object of special desire by members of the Court of Common Council. He asked, could there be any constitution more unsuited for the management of property 500 or 600 miles away, the application of the revenues of which was local and had reference to educational, charitable, and other purposes? Again, the Society was a foreign body—an absentee body; and, further than that, it was also an unreformed body, for it was strange, but nevertheless the fact, that while all other public bodies had to submit to such changes as the circumstances of the time required, the Corporation of the City of London had hitherto escaped reform. Some time or other, however, it would be compelled, like the the other public institutions of the country, to submit to the pruning knife. So it was with the Irish Society which emanated from that Corporation, and so despotic was the sway which it exercised over the Mayor and Corporation of the City of Derry, that that body could not pass a bye-law in the administration of local self-government without sending it to Guildhall Yard for the approval of these City magnates. Was that a state of things which ought to exist? Upon one occasion the unfortunate Corporation of Derry took upon itself, with insolent self-reliance, to name one of the streets, and it was upon record that the Irish Society, in the exercise of its undoubted rights under the Charter, sent a peremptory order to the Corporation of Derry to restore the original name of the street. Now, he would ask the House if such a state of things ought to be allowed to last in these days of local self-government? The altered circumstances of the times and of the locality imperatively required that it should cease, and that the property should be administered for the advantage of the people and of the locality with which it was connected. He considered that fact alone sufficient to justify the appointment of the Select Committee which he asked the House to grant to him. That was not all. The property being local, and the Governing Body being in London, there was a system of dual government, with two sets of officials. There was a Government house in Derry, with a most efficient general agent and subsidiary officers, and there was a Government house in Guildhall Yard, with most efficient secretaries with very little to do, and a number of subsidiary officers. And this dual system of government had most remarkable results. He had already referred to the way the Society had interfered in respect to the naming of streets. That was, however, a trifling matter compared with their conduct in opposing a Bill which the Port and Harbour Commissioners of Derry promoted in 1854 for the improvement of the navigation of the Foyle. The Harbour Commissioners, in the exercise of their public office, brought in a Bill for the improvement of the port and the navigation of the river. The dignify of the Irish Society was at once aroused, and they immediately put forth the privileges they asserted themselves to possess—they petitioned Parliament against the Bill. So here they had two public bodies, intimately allied, in a position of antagonism. In the end the opposition to the Bill was arranged, but the matter was not settled without the waste of £1,200, in passing what should, in common reason, have been an unopposed Bill. When the Corporation of the City of London was made dry nurse to the Ulster plantation, the county of Londonderry was desolate; it had no inhabitants, no means of local self-government, and no money to cultivate property. Consequently, it required not only the power of wealth, but it required intelligence of management, and to obtain that it was necessary to go far afield. At that time, therefore, it might have been a very politic arrangement that an outside body should manage the affairs of the county. But the state of things was totally altered now. Everybody acquainted with the county of Londonderry and with the city of Coleraine knew that they had merchants and members of all classes and creeds who were just as capable of taking part in the administration of affairs as the Corporation of the City of London or any other municipality. The case, therefore, was entirely altered, and that of itself, at the expiration of 250 years from the date of the Charter, appeared to him to be sufficient justification for asking the House to inquire as to what might be the best way in which to manage this large and important property. One of the evils of the present mode of administration was that the Society had spent considerable sums in complimentary presents, and at one time had been turned into what might be called a "Mutual Snuff-box Society." Each year a deputation of the Society went over to Derry to visit the estates, and on their return their portraits were painted, to be hung up in the Society's rooms in the Guildhall, or they had services of plate presented to them. In a book published by the Society he found no fewer than 26 instances of presentation to those who had been good enough to form deputations to the city of Derry. Nor was that the only mode of expenditure to which the Society had committed itself. He found by the books of the Society that, in 1832, £932 had been paid as the cost of an Election Petition to turn out the Members for Coleraine. A year later he found an item of the payment of £110 to Captain Thorpe, the brother of the then Governor, the late Alderman Thorpe, towards his expenses at an election for that town. But they next got to even worse. In 1854, when the Commission on the Corporation of London was brought on, the then Governor of the Society, Mr. Alderman Humphery, was brought seriously to task with reference to the annual expenditure. He said the expenditure might be put at about £3,000 a-year, including £600 a-year for law expenses. He (Mr. C. Lewis) had looked into the accounts, and found that for the five years, 1870-74—both inclusive—the expenses of management were £22,468, or £4,500 a-year. They were dealing with an estate at this time bringing in £12,700, and he would ask hon. Members what they would think of the expenditure being nearly 40 per cent of the income with regard to any charities or trusts with which they were connected, not in any outlay respecting the estate, but in travelling expenses to Ireland in the month of August, the ostensible object of the deputation being the interests of the Irish Society, but in reality to afford them the opportunity of a visit to the Giant's Causeway, and have a pleasant summer outing. In some years the expenditure was as much as 45 per cent of the income. In 1874 a sum of £970 was paid for visiting the estate, and in 1873 it was £870. They then came to another item—tavern expenses. This was no invention of his —he was speaking from a Parliamentary Return obtained by himself in 1876, and another in 1866, before he had the honour of being a Member of that House. He found the item of tavern expenses put down in those Returns at £2,203 for five years. Was it right or proper that the money belonging to a public fund should be spent in such a lavish manner as that for the personal enjoyment of a few gentlemen connected with the City of London? Was he not entitled, on behalf of the constituency he represented, to say that a very strong case was made out for inquiry? But it did not end there. There was another item of "Fees to Members." Now they would understand why, to get on the Society was such an object of anxiety to members of the Common Council. It did not require legal training to see that these payments were utterly illegal. Public trustees had no right to fees. Nothing was said in the Charter about the payment of fees; and yet, from an early period in this Society's existence to the present time, the funds of a public trust had been diverted in the payments to members for the performance of a public duty. The payment was continued to the present hour, in defiance of most plain and positive evidence that it was illegal. It had gone on for 200 years, and could not in that time have amounted to less than £30,000. He should probably be now told—"See what the Society have done for the city of Derry." No doubt, things had somewhat improved of late. He would let them into the secret of how that had come about. His present Motion was an answer to a requisition he had received two years since. In June, 1875, he, at the requisition of his constituents, and acting with the other Representatives of the district, gave Notice of his intention to bring this matter of the Irish Society before the House. When the deputation went to Ireland in the following August it was surprising what an amount of liberality they carried with them; under the pressure of this impending Motion, it was suggested that grants might be made for the public purposes of Londonderry and Coleraine. Unfortunately, he was unable to bring on his Motion in 1876; but Coleraine sent a deputation to London and got a grant of £10,000 for the improvement of the town, and the city of Derry got £40,000 to liquidate the debt upon the bridge. [Sir SYDNEY WATERLOW: Hear, hear!] He would not say that the Irish Society made these grants under pressure; but they were just the very grants which ought to have been made years ago at the time when the city debts were contracted; and were now made at the very moment the inhabitants of the country and towns had awakened to their rights. He desired to state what was the public history of this question. The Royal Commission of 1854 reported that in their opinion the Irish Society should be dissolved, that new trustees should be appointed by the Lord Chancellor in Ireland, and that the trust should be declared by a public Act. He did not ask the House to go as far as that on this occasion, and for this reason—it was said on behalf of the Society that that was an *ex parte* decision, that the Commission had not heard the Society. Many persons who opposed the views which he ventured to hold said that the state of affairs, as far as the properties held by the Irish Society were concerned, had changed considerably within the last quarter of a century. This, without doubt, was true; but the altered state of circumstances, even though it might be a change in the direction he desired, ought to justify an inquiry before a conclusion was arrived at as to the manner in which the properties owned by the Irish Society should be managed in the future. In 1869, Lord Carlingford promised the serious attention of the Government to the matter — he (Mr. C. Lewis) now requested the serious attention of the House to it. His request was in no respect an extreme one. He asked the House that a Select Committee should be appointed to inquire into the management and annual expenditure of the Irish Society of London; and to report what changes were required to be made in the Governing Body and mode of administration: in other words to inquire and report whether the necessary reforms could be best effected by a reform of the existing Governing Body, or by the alternative suggested by the Commission of 1854? He thought he had said enough to justify him not only in bringing the matter before the House, but in asking it to grant the Select Committee for which he now moved.

MR. RICHARD SMYTH seconded the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the constitution, management, and annual expenditure of the Irish Society of London; and, further, to report as to what, if any, changes can be made in the governing body or the mode of administration in order to ensure a more economical and advantageous application of the property, or whether such result can be best attained by placing the property in the hands of public Trustees resident in Ireland."—(*Mr. Charles Lewis.*)

SIR SYDNEY WATERLOW: Sir, I cannot for a moment pretend to emulate the ability of my hon. Friend the Member for Londonderry in the way in which he has stated his case; but I am supported by my knowledge that the facts are favourable to the statement which I have to make. I would ask the attention of the House, because I think it will feel that I am in a very responsible position as Governor of the Society, and, to some extent, my hon. Friend may think I am to blame. Now, Sir, I am not astonished that my hon. Friend should have brought this Motion forward. Several of his predecessors have felt a similar necessity, and have brought forward similar Motions. My hon. Friend has said that in 1856 Mr. Kennedy brought forward a similar Motion, seconded by the then Member for Londonderry. In 1869 Mr. Maguire also brought forward a similar Motion, and on both occasions the Motion was withdrawn, the hon. Members being satisfied with the discussions it had elicited. I trust the hon. Gentleman (Mr. Lewis) will, when this discussion terminates, deem it wise to follow the same course. Now, Sir, I will just say one or two words on the points urged by my hon. Friend. He has asked, in very forcible language, whether the Irish Society is a private Society or a public trust. Now, Sir, let me say that since I have been Governor of this Society I have never missed an opportunity of declaring, from year to year, as opportunity offered, that primarily and indubitably it is a public trust, which requires the trustees to spend the moneys in public improvements, in promoting schools, in building churches, and in doing whatever may be considered best for the advantage of the locality interested; but that undoubtedly there may be a reserve, which is, or may be, the property of the London Companies. The hon. Member has stated to the House why he considers that the matter should be inquired into. I devote a large amount of time from year to year—I spend a week or 10 days every year in Derry. I do not charge my travelling expenses—and the only money I take is the cost of my living while I am in Derry. What are the fees? Every member receives a fee of 10*s*. for attending a court. Is that an excessive fee? I do not think my hon. Friend would consider that a very large sum for attending court. Every member receives a fee of 5*s*. for attendance at a Committee. I do not see how that can be considered exorbitant. My hon. Friend says it is a breach of trust to receive any fee at all. That is a legal question. The opinion of Lord Campbell and Lord Lyndhurst was that the Society was to spend its money in the improvement of the property; but if there were any surplus that surplus would undoubtedly go to the Livery Companies. If my hon. Friend thinks that this money has been spent in defiance of the law, he is a very good lawyer, and knows what remedy may be taken. My hon. Friend has stated that there are many objections to a body of gentlemen in London managing a property in Ireland; but I must remind my hon. Friend that this is a dual trust. In 1613 the Livery Companies who contributed this money consented to part of it being set aside for making the trust a permanent one: but when that trust was satisfied, the balance of the money should go to them from year to year. My hon. Friend has spoken of the grievances which are suffered by the Corporation of Londonderry. He says they cannot even pass a bye-law without the assent of the Irish Society. Strictly speaking, that is correct; but, as a matter of fact, my hon. Friend knows that the Irish Society has never interfered with the passing of any bye-law by the Corporation for the last 150 years. It is true, that nominally their assent is required to a bye-law; but, on the other hand, the Corporation of Londonderry receives from the Society the sum of £1,200 a-year—the Society feel they are trustees for the city of Derry. The condition of the Corporation of Derry at the time the Irish Society obtained their Charter was a lamentable one. The Corporation had spent all their money, and even the mace was put into pawn. The Society had actually to pay their debts and to take the mace out of pawn in order to enable them to go on. My hon. Friend made another point. He stated that in 1874 the Society opposed the improvement of the quays and the construction of a harbour. Why did they oppose it? Their opposition, Sir, was intended for the benefit of the merchants of Londonderry. The Society thought that if they were going to give a free grant of the land they had a right to stipulate that if any house were put upon that land for public purposes no charges should be made except such as might be sufficient to pay for the erection of the buildings; and, therefore, they insisted that there should be a clause in the Bill to give the Society power to assent to the tariff proposed to be put upon the trade. The whole object of the Society was to protect the small traders and to insist upon the lowest possible tariff being charged for the dues, considering that the Society were to grant the land. The deputation which waited on the Society in reference to the subject went back again, and the first thing they did was to pass a Resolution thanking the Society for the liberality which had been shown in its treatment of the Harbour Commissioners. My hon. Friend has said that the state of things is entirely altered—that Derry and Coleraine require no longer to be dry-nursed by the Companies of London. If the case is so altered that the Corporation of Derry can do without the Livery Companies, then the Livery Companies will come in and say that the trust is exhausted, and that the *corpus* of the fund therefore belongs to them. That is not the view that the Irish Society considers a reasonable one. I shall presently, I think, be able to show that the inhabitants of Derry and Coleraine are satisfied, and that they are not here supporting the Motion of the hon. Gentleman, but are anxious that it should be rejected. When the Motion was brought forward by the hon. Gentleman last year not a single Petition came up in support of it; but a Petition came up from Derry, signed by the Bishop, by the clergy, by the merchants, by gentlemen of social position and property, praying the House to reject the Motion. What did Coleraine say? Coleraine sent up a Petition against the Motion. Now, I venture to ask the House whether they can accept that as a view of the feeling of the people of Londonderry and Coleraine in regard to the Motion of my hon. Friend—especially as there was not a single Petition in favour of it? My hon. Friend tells you of the sudden liberality of the Society when it we heard that this Motion was coming on; but he forgot to tell you that we agitated for the freeing of the bridge 10 years ago. Ten years ago the Society offered £1,000 a-year for the opening of the bridge; and I made an offer myself last year. I said—"If you will find half the money we will find the other half"—because the Society felt that the freeing of the bridge was a matter of great importance for the well-being of the poorer inhabitants of Derry. The city is divided by the river Foyle, the working people live on one side, and the factories are placed on the other; so that the work girls have to cross the river to go to their employment, and the tolls amount to something like 2*d.* a-day, which is a heavy tax upon them. I said—"If you will find one half the money to free the bridge we will find the other half." The Society agreed to give £1,000 a-year 10 years ago, I think—at all events, it was many years ago—the agreement was entered into and the money was paid for three years, when the payment was stopped because the Society disapproved of the proposed mode of constructing the bridge. The Society has now agreed to pay half the cost of freeing the bridge. And let me remind the House that they have applied to the Treasury to lend the money; but the Treasury say they cannot do so. The Society has therefore to borrow the money from the Assurance Societies, or wherever it can get it. If this Motion passes the credit of the Society will be injured, its proposals with regard to the bridge will be unfulfilled, the improvements will be stopped, and I venture to think that my hon. Friend (Mr. C. Lewis) will not dispute that it will be exceedingly difficult to know when the works will be carried out. What does the Motion ask for? An inquiry into the constitution, management, and annual expenditure of the Irish Society. Why, Sir, the constitution is as well known as anything can be known. My hon. Friend has told you that this book was published by the Society in 1804. If a Select Committee sat for three months it could not get a better history of the Society than this book gives you. With regard to the management, I am quite willing to admit that there is more expense than one could wish to see. But remember it is a dual trust. The Society is obliged to have a representative in Ireland. He is allowed £800 a-year and a house to live in. He occupies a good social position, he is a magistrate and a member of the Grand Jury. I do not think my hon. Friend will be of opinion that we should make any reduction in that payment. We must also remember that the Livery Companies have an interest in the estate—they are entitled to the reversion, and it is necessary to have some sort of establishment in London. All that that establishment consists of is a secretary, a clerk, and a porter, and I do not well see how that establishment could be reduced. With regard to the items of expenditure to which my hon. Friend has referred, I am quite sure he would not have stated them if he had not been informed that they were quite correct. In order to understand this matter, I think it will be necessary for me to trespass on the patience of the House while I state the circumstances under which this Society was originally instituted. About the end of the reign of Queen Elizabeth the O'Neills and O'Doherties, who were in constant rebellion, had their lands sequestrated by the Crown. Those lands constituted the greater part of the county of Londonderry, and the Crown having taken possession of them, did not know what to do with them. It accordingly applied to the Lord Mayor and Corporation of the City of London to consider what should be done with it. The Corporation appointed four citizens to visit the district and to report upon it. Those citizens came back and reported that it was well watered, suited for agricultural purposes, and carrying on an important trade—and that opinion had been amply verified. A grant of £30,000 was accordingly made for the purposes the Crown had in view; and that sum was subsequently increased to £60,000. That seems a small sum of money now; but in order to obtain some idea of its relative value in those days, let me inform the House that at that time a bullock was worth 15*s.* and a hog 2*s.* If you take the relative value of money, that £60,000 would represent £2,000,000 now. The Corporation had a power of requiring the Livery Companies to contribute money, and they commanded them to find that sum. It was contributed by 53 Companies, and I think that for more than a century the Corporation never received any consideration for it. The lands were divided and apportioned to the Livery Companies in proportion to the amounts contributed by them, and the Charter was granted in 1614. My hon. Friend (Mr. C. Lewis) read one part of the Report of the Royal Commission on the subject; but if you read only one part of a Report you are apt to get a mistaken notion of its import, and sometimes the reading of another part helps you to understand it more accurately.

Now, Sir, I say the Irish Society have done their duty to the North of Ireland. They did, as their duty compelled them, take over boys from Christchurch Hospital as apprentices, and for many years the inhabitants were forbidden to take any Irish apprentices. Houses were built some of which, I think, remain in Coleraine to this day. They were framed in London and taken over and put up as quickly as possible. The Colony was so well nurtured that it became in after time, and is now I venture to say, without fear of contradiction from my hon. Friend, a district as populous and industrious as any other part of Ireland; and I venture further to say that the Irish Society has mainly contributed to that happy state of things. My hon. Friend (Mr. C. Lewis) has dwelt very much upon the expense of management; but he must remember that no society, church, school or institution, that could be required for the benefit of the district, has been forgotten. One of the most gratifying things to me, and one which almost repays me for my annual visit to Ireland, is to visit the large school in Coleraine, where more than 700 children of all denominations receive an education free of expense as good as any that is given in any part of Ireland; and I think my hon. Friend will not dispute that the schools are everywhere spoken of in terms of the highest appreciation. I do not wish to detain the House by dwelling on the subject; but I ask who is it that complains? Not the inhabitants of Derry—because they have petitioned against this Motion:—not the inhabitants of Coleraine, for they also have petitioned against the Motion. I make that statement in the presence of the hon. Member (Mr. C. Lewis). He is here, and if I make a misstatement he will correct me. The inhabitants of Londonderry and Coleraine, who are the primary beneficiaries under our trust, do not complain—why should the House interfere in the work of the Society, and prevent that work from being carried on which is now in progress for the benefit of those for whom the Society was originally established? Sir, I do not want to point too much to the work of the Society, but if any of my hon. Friends know the Cathedral at Derry, they will remember that there is a stone inside the porch, placed there two centuries ago, which bears this inscription—

> "If stones could speak then London's praise
> would sound,
> Which built this church from out the ground."

I venture to say that there is not a church, or a school, or a public building in Londonderry, which would not make the same declaration—that the Irish Society have fostered religion and education ever since the trust was first founded. But go back to the time when the freemen of Derry gallantly defended its walls against the assaults of the enemies of this country—history tells of the glorious defence that was made against the Siege of Derry. The Livery Companies supplied the sinews of war, and more than that—they sent over some of the finest pieces of ordnance that were made at that time. Sir, you will see on the walls at this day, the Salters' gun, the Vintners' gun, the Fishmongers' gun—and others. In one of the descriptions of Macaulay, one of the guns is described as "Roaring Meg," and I believe it was fired as many as 200 times during the Siege. That was the spirit of the Livery Companies of London, in those days, who declared that they would defend the Crown against the assaults of its enemies. I will not detain the House longer. I have only one word more to add. My hon. Friend has complained of the constitution of the Society. He has said that the Recorder is the only permanent Member of the Society—that is, that the Recorder *ex-officio* is the only permanent officer. He has been pleased to refer to me in very satisfactory language; and if he is satisfied with the present Recorder, and he is the only permanent officer, why should he bring this Motion before the House with the view to censuring the conduct of the Irish Society? As long as the Irish Society shows confidence in me I shall always endeavour to persuade my Colleagues that this is primarily a trust for the benefit of Derry and Coleraine; and as to the surplus to which allusion has been made, I am afraid it will never arrive as long as my hon. Friend and others have any public improvement which they wish to see carried out.

MR. RICHARD SMYTH: The hon. Baronet the Member for Maidstone (Sir Sydney Waterlow) has, with his accustomed ability and command of administrative details, met the Motion and speech of the hon. Member for the City of Londonderry (Mr. C. Lewis), and I think we may now assume that we have heard the worst and the best that can be said for the Irish Society in its connection with the Plantation of Ulster. I do not rise for the purpose of supplementing the statement of facts which has been sufficiently ample, but to say some words on behalf of the people whom I have the honour to represent in this House, and whose interests are largely in the keeping of the Irish Society. I wish it to be distinctly understood that I do not support the Motion now before the House in any spirit of hostility to the Irish Society, but because I believe if the Committee sought for be granted, its investigations will result in giving fuller scope to the beneficent aims of that body, and to the exertions of my hon. Friend near me (Sir Sydney Waterlow), who, I am bound to say, is as skilled and impartial a Governor as ever was at the head of this or any other Society. My hon. Friend asks for a Select Committee of inquiry, and the Motion foreshadows some interesting topics of investigation. If it has a Radical look about it I hope all alarm on that score will be dispelled by reflecting that the Motion proceeds from a safe quarter of the House. Indeed, we are now happily at a loss to know in what particular region of the House of Commons reformers find their seats. But it may be a relief to some hon. Members to know that the Motion before the House does not go nearly so far in Radicalism as the Report of the Royal Commission of 1854. That Commission recommended the repeal of the Irish Society's Charter. In that recommendation I cannot agree. Nearly all the property of the county of Derry is held under the Charter of Charles II., and if it were repealed, I dare say all this property would, in the meantime, revert to the Crown. Of course, Parliament would take care that the present owners should get their lands back under a new title; but to subject the fee-simple of a whole county even for one night to a debate in this House, and to the risks and eccentricities of the Division Lobbies, would be a nervous kind of process. My hon. Friend opposite does not aim at anything so disquieting and revolutionary as this, but something much more practical and modest. My hon. Friend has laid some stress on the anomalous character of the Irish Society's position and duties, and has urged that our notions of propriety are challenged, if not outraged, by the spectacle of a committee of the Corporation of London managing property on behalf of the people of Derry and Coleraine when these people are quite competent to manage themselves. It has been replied to this that the anomaly does not so much consist in the mode of managing the property as in the fact that there is such a property to manage, made over to two towns in the North of Ireland, whilst other towns in Ireland have nothing of the kind. ["Hear, hear!"] Well, but I take leave to say that is a dangerous line of argument, for if you begin to question the wisdom of James I. and Charles II. in making over this property to Derry and Coleraine—or, rather, to the county of Derry—people will begin to question their wisdom also in issuing many other Letters Patent, where individuals, and not the general population of a district, were the beneficiaries. It will be better for us not to open up the question of property at all. If you tell us that the reasons why King James selected Derry and Coleraine and the county lying between them as objects of special favour no longer exist, and that the estates may now be set free for more general purposes, I am afraid there are descendants in Ulster of many other favourites of King James who will not thank you for going back to these first principles. If I am asked why Derry and Coleraine should have these advantages, I cannot answer, except that they have them under an ancient Charter, and if we come to ask the why and the wherefore of all existing rights in the North of Ireland, we shall open up fields of discussion where nothing but revolution can reap its harvests. It is well, then, that my hon. Friend's Motion assumes that the concern of any Committee which this House may be pleased to appoint will be to find out whether the mode of administering the trust may not be so improved as really to strengthen the Irish Society, and add to the advantages of the people. Sir, the Irish Society is the only genuine relic of the Ulster Plantation. In the case of private estates the objects and conditions of the settlement have long since been forgotten or disregarded. The only thing that is left to remind us of the best element in the Plantation is the Ulster Tenant-right, which is a tradition of the favourable tenures conferred on the Colonists, and which, I regret to say, in some districts of the Province has well nigh disappeared in the general subversion of popular rights. But no matter what changes took place in Ireland, the Irish Society preserved its identity all through; and we have heard this very night from my hon. Friend, the Governor of the Society, that it frankly acknowledges that it has the same duties to discharge as when it first took possession of the confiscated lands of Ulster. All the good and all the bad of the Ulster Plantation are in the Irish Society as fresh as in the year 1613. What we aim at in this Motion is to expunge all the bad and perpetuate all the good. I must speak frankly. I admit that when King James undertook to colonise the six northern counties of Ireland with English and Scotch settlers, the county of Derry fared rather better than the rest. Its escheated lands fell to the Corporation of London, and we know that the Corporation of London has always been a great defender of liberty, especially its own. I bring no charge against other proprietary colonists; but I own that the Londoners, as the King used to call them, discharged their duties in a spirit of tolerance, which contrasted favourably with that shown by some other undertakers in the Province. The truth is, they were not bigoted enough for King James's taste; for, about two years after the issuing of the Irish Society's Charter, the King wrote to Lord Deputy Chichester complaining that the Irish Society had not driven the natives off the lands. My hon. Friend the Member for Maidstone has no reason to be ashamed of his ancient predecessors in those days. It is true those English gentlemen had signed harsh covenants while they were in London; but when they found themselves face to face with the Irish people their kindlier feelings got the better of them, and they had not the heart to drive the people to the mountains. Sir, Englishmen who know Ireland are seldom its foes. The Irish Society allowed many of the native Irish to stay where they were, and dared to incur the displeasure of the Royal bigot who had sent them over to do sterner work. I, for one, am ready to place to the credit of my hon. Friend and the Society over which he so worthily presides those humane deeds which have lived in history for 260 years. I would not have it thought that we, in the North of Ireland, have ever looked upon the Irish Society and the London Companies as wilful oppressors. They have allowed themselves, now and then, to be misguided by officials, both English and Irish. This is specially true of the Mercers' Company. But, on the whole, they have administered their estates with a certain consideration for the comforts of their tenantry. But the people of Derry and Coleraine, or, at all events, a portion of them, are dissatisfied with the present state of things on two grounds. The one is a matter of principle, and the other is a matter of detail. As to principle they feel sore at being subject to a foreign body like the Corporation of London. I am sure the hon. Baronet (Sir Sydney Waterlow) wonders at his being considered a foreigner in Derry, for at Government House he and his guests always seem very much at home. And yet the Governor of the Society, with all his tact, patience, and impartiality, has not been able to reconcile Derry to English rule. It is a remarkable thing, and I crave attention to it, that men of all shades of politics, and of all religious opinions, take exception to this department of English rule, and hint, in no obscure way, that Irish ideas ought to prevail at Derry and Coleraine. I confess I am led to think that almost all Irishmen are inclined for home government when their interests appear to demand it. In the case of the Irish Society, it is thought that the evil is intensified by the shortness of the tenure each member has of office. With the exception of the Governor, who is generally re-elected — and I hope the present Governor will be re-elected as long as he lives—each member remains in office only two years. He sees Ireland twice, and is then for ever lost to us. Now, with reference to the concluding part of my hon. Friend's Motion, it may be asked—Suppose the Irish Society were abolished, what do you propose to put in its place? I think I shall act discreetly if I follow the example of my hon. Friend, and decline to answer that question. I am not able to answer it. My confession is an open one. It would be presumptuous in me to set up for being wiser than the whole body of the people of Derry and Coleraine; and, as they have not come to a common understanding as to any constructive policy, I think it may be as safe for me not to rush where my constituents fear to tread. The Royal Commission of 1853 recommended that the Lord Chancellor of Ireland should nominate a new body of trustees; but I have not met any Derry man who agrees with the Royal Commission, for there is a vague impression that the Court of Chancery in Dublin might, at some future day, cease to be the seat of patriotic virtue. Passing away, then, from this part of the subject, I come to the question of detail, or the practical administration of the trust. Here I am not afraid to recommend some positive and substantial measures of reform. I have admitted that it would be a serious thing to repeal the charter of Charles II., and send the whole property of county Derry adrift on these benches. But it is one thing to repeal the Charter, and another thing to supersede certain parts of it by Act of Parliament. Many parts of it have already been set aside by the Act for the reform of Irish Corporations. The Charter gave us many things in Londonderry which we have not now. It gave us 12 aldermen for life, six sergeants-at-mace, a chamberlain, two sheriffs, a gauger, and a garbler, whatever that is, with several other civic benedictions which have vanished away. We only ask Parliament to go a little further in the way of reform. The Irish Society have two sets of duties. They are landlords and they are trustees—they own property in Ireland, but then they must spend the income from that property for the benefit of the districts where it is situated, in public improvements and education. Originally, the whole county of Derry was entitled to the benefits of the trust; but when the 12 London Companies had their portions assigned to them by a conveyance from the Society, it was understood that the Companies would do for the county what the Society was to do for Derry and Coleraine, and with a measure of fidelity they did so. It cannot be questioned that the London Companies spent more of their rents upon local improvements, religion, and education, than is generally done by private owners, and, so far, carried out the spirit of the Charter. But now the Companies are, one after another, selling their properties, and their successors in title repudiate all obligation to do for the districts what the Irish Society was originally constituted to do. Those parts of the country which have passed away from the London Companies might as well have never had any connection with the Irish Society. The estates have gone into private hands. Benefactions for local objects have ceased, rents are raised beyond any figure that was contemplated by the Companies, and the chartered rights of the people are lost. Whatever mistakes may have been made by the London Companies, and however numerous may have been their shortcomings, I deny that it has been any benefit to the community that they have withdrawn from the country, that they have sold their estates, and brought the purchase money with them to London. I submit that the county at large has more reason to complain than either Derry or Coleraine, and I think that if any new declaration of trust is to be made it will be necessary to consider that the Irish Society was constituted in the interest of the whole Plantation of the county of Derry. I do not dispute the legal right of the London Company to sell their estates; but when we take into account the origin of their connection with Ireland, and the objects they were intended to serve, I think the very least they can do is to make the first offer of the property to the occupying tenants, and not hand it over to men who will whip them with scorpions. In the name of sound policy and of justice I put in this claim, and I protest against a process which in its issues may be little less disastrous than the wholesale confiscation of the 17th century. Many of the present troubles can be traced to the uncertainty which has prevailed, and which still prevails, as to the tenure of land. The hon. Baronet has appealed to the fact that within the municipal boundaries of Derry and Coleraine nine-tenths of the building ground is let on perpetuity leases. Well, I ask why not let the remaining tenth on the same tenure? For want of a nail in the shoe the horse is to be destroyed. If there never had been a perpetuity lease for building purposes granted in Derry, I do not know but by this time the people might have been schooled into acquiescence in a system which had become universal. But the popular idea of the management is making fish of one and flesh of another. I do not myself believe that in later years favouritism has had anything to do with it. Still, it is hard to persuade people that a partial result is not traceable to a partial purpose. After all, building leases form a small portion of the question of tenure. The Society has some 50 agricultural tenants who have been kept in a state of chronic alarm ever since the passing of the Irish Land Act. If there is an estate in Ireland in which the Ulster custom of Tenant-right exists, it is, and ought to be, that of the Irish Society. The Society claims to have had a principal hand in creating tenant-right. I do not deny it. I own gladly that the Society has latterly shown a disposition to concede to its tenants all the ancient rights and privileges they enjoyed under the tenures of the Ulster Plantation, and I, therefore, refrain from offering any hostile criticism upon proceedings which were of a dubiously creditable character as regards leases. I am not suggesting, for it would be unjust to do so, that the Irish Society have been bad landlords, or that they have purposely harassed their tenants; but I do affirm that they have not always sufficiently considered the history of the people with whom they had to deal. Gentlemen go over from London and are amazed that an agricultural population, such as they find on their Irish estates, should keep so stiff a back and stand so straight upon their rights. The reason is to be found in history. These men either trace their lineage back to English or Scotch colonists who went to Ireland in a spirit of hardy enterprise, or they exhibit the pluck and tenacity of those native Irish who held their own against the colonists when they attempted to drive them to the bogs and the mountains of Londonderry. I think it worth while to be patient with such men when they show a little of their inherited independence, or when they give expression to their wants and feelings in language which is not always cast in the mould of courtly ceremonial. The Irish Society is a trustee for the public, and I should like to point out, before I sit down, that the spirit and objects of the trust are not altogether in harmony with the requirements of the 19th century. King James was a great Protestant in his own way, but he had uncommonly foolish ideas about the way of propagating Protestantism. The Irish Society was sent over to Protestantise, educate, and civilize the North of Ireland; and we find that the first deputation of that body set about its missionary operations by presenting silver-gilt communion cups to the established congregations of Derry and Coleraine. That was its first religious effort; but, along with this, it did something in the political line, for it made an allowance to the orthodox Members for Derry and Coleraine to defray their expenses in the Irish Parliament. I have no interest in that historical reminiscence, because these were the borough Members. An attempt was made in the early part of this century to widen the scope of the Society's donations, and make its action less sectarian; but the Charter was found too rigid for the Liberal views of my hon. Friend's Liberal predecessors. It is not surprising that such a Charter is unpopular; but, whatever justification there may have been for this sectarian construction of the Charter, I put it to this House whether denominational favouritism in Ireland is not now out of date. We have no privileged church or religion in Ireland now. There is no such thing as nonconformity on the other side of the Irish Sea. You are in this country still debating about the burial of dead Dissenters. In Ireland you buried all the living Dissenters in 1869, and, at this moment, there is not a Dissenter from the Giant's Causeway to the Cove of Cork. Amid this state of things it is high time that the Irish Society should be emancipated from the panic-stricken policy which was in vogue after the discovery of the gunpowder plot. I do not for one moment suggest that the property should be diverted from the purposes for which it was set apart; but I would melt it down in the crucible of the 19th century, and get rid of every obnoxious element. James I. may have known well enough what was good for the 17th century, but surely we know better than he did what is suitable for the 19th. Pious founders, whether kings or common men, should come under a statute of limitations as to their dictatorial powers. The world moves on, and even Charters get out of date if they stand still. Noah's ark was the work of a pious founder, but it was not intended that people should live in it for ever. The hon. Baronet has enumerated the educational benefactions of the Society, and I have only to say that, of all its grants, those which will stand the most searching test are the grants which have been made in the interests of knowledge. I wish to see its powers enlarged in making these grants—I mean as regards the area over which they are to be denominationally spread. The reforms which I desire to see brought about point to an improved system of tenures, a curtailment of expenditure in the management of the trust, and such an extension of the Society's powers as will enable it hereafter to disregard all sectarian considerations in the distribution of the vast funds at its disposal. A Committee of this House would, I hope, be able to tell us how this is to be done. If legislation is necessary, let us face it. A Parliament that put down Ritualism, or tried to put it down, and then made a bold effort to put down the Free Church of Scotland, may well be asked to undertake the task of overhauling a Charter of Charles II., especially when the request is made by an hon. Gentleman whose locality in this House places him above the suspicion of revolutionary proceedings. I am animated by the most friendly spirit towards the Irish Society. The Governor, the deputy Governor and assistants, are better than their Charter; and I would rather see it brought up to the level of the generous opinions and sentiments of my hon. Friend the Member for Maidstone than see him any longer cabined, cribbed, and confined by an antiquated instrument. No good can come of these perpetual squabbles between Derry and Coleraine on the one side and the Irish Society on the other. We want to end them not in a hollow truce, to be followed by another outbreak, but in a permanent peace, which will insure prosperity and mutual confidence for generations yet to come.

MR. ALDERMAN W. M'ARTHUR felt it was hardly necessary for him, after the speech of his hon. Friend the Member for Maidstone (Sir Sydney Waterlow), to address the House upon the present occasion, but having for many years had the honour of being connected with the City of Londonderry and also of being a member of the Irish Society, he desired to make a few remarks. He approached the question without prejudice, and he would say if he thought this Motion would promote the interests of Londonderry and Coleraine he would support it. He believed, however, it would have directly the opposite effect. The relations between those towns and the Irish Society were never more cordial than at the present moment. The City of Londonderry had no sympathy with the agitation, which had been got up by three or four individuals for interested and selfish purposes, and the hon. Member for Londonderry (Mr. C. Lewis) was made their cat's paw. The authors of the agitation held leases under the Society which had nearly run out. The land comprised in those leases was situated near the City of Londonderry, and was most valuable for building sites, and the lessees felt they would be unable to obtain renewals unless some agitation were got up against the Society. He quoted the Petitions from Londonderry and Coleraine which he had presented last Session, and also several letters which had been addressed to himself by respectable inhabitants of those towns, to show that public feeling was entirely against this agitation. He could himself speak for the last 25 years, during which the Irish Society had not only done its duty, but acted in a most judicious, liberal, and generous spirit. The Society had expended large sums of money in making new sewers and quays, in erecting schools, and in improving the approaches to the bridge in Londonderry, and had given no less a sum than £40,000 towards freeing the bridge from tolls. It could not, therefore, be said that they were unmindful of the general benefit of the district where their property was situated. He might remind the House that no tenantry in the North of Ireland obtained their holdings upon such favourable terms as did those of this Society, and it would be a great misfortune to the latter if the property of the Society passed into other hands. He very much deprecated agitation of this character, which was got up by a small section, because it inevitably resulted in the large City companies withdrawing altogether from the North of Ireland and carrying their money to London. In conclusion, he might observe that the Society were perfectly willing to modify the duration of their leases.

MR. LAW said, he hoped that nothing that might fall from him would tend to disturb those friendly feelings which the hon. Member for Lambeth (Mr. Alderman W. M'Arthur) had referred to, as generally subsisting between the Irish Society and the people of Londonderry and Coleraine; still, he thought that a good deal of the irritation inevitable to discussions of this kind must continue to arise until they arrived at a clear and definite understanding as to the true position and functions of the Irish Society, about which there had been so much debate. He had heard with pleasure from the hon. Baronet the Member for Maidstone (Sir Sydney Waterlow), that it was his decided opinion, and one which he took all opportunities of enforcing on his colleagues—that the primary duty of the Society was, to hold and administer their property for the benefit of the districts under their charge; but still, he must add, that statement was qualified in a way which left the matter in a somewhat unsatisfactory position; because the hon. Member went on to state that though there were these primary trusts for the benefit of the locality, yet there were other secondary or subordinate trusts for the London Livery Companies who, according to him, had certain reversionary rights. Now, that was a point which must be cleared up before they could arrive at any satisfactory conclusion on the subject. How it should be, indeed, that some two centuries and a-half after the constitution of the Irish Society there should be any obscurity about its objects or duties, it was needless at present to inquire; but, probably, there would have been less room for misapprehension on the subject if the Society had been more disposed to give information when called on for it. When, in 1832, Commissioners were appointed to inquire into the affairs of the different Municipal Corporations of England and Ireland, and information was sought in respect of the property of this Society, none could be obtained. The English Commissioners, indeed, seem to have thought that the inquiry fell within the province of the Irish Commissioners, and the Irish Commissioners unfortunately could only report that when they applied for information to the general agent of the Society in Ireland, they were told that he was not authorized to give any. It was, he (Mr. Law) thought, much to be regretted that a body discharging an important public trust should have acted in that way. Now, he believed no one would regret more than the hon. Baronet the Member for Maidstone that such a course should have been adopted by the Governors of that day; for no one would deny—and least of all his hon. Friend—that a public body which occupied so important a position, and which was entrusted with such important duties as his hon. Friend admitted the Irish Society was, should at all times be ready—nay, even anxious—that its administration should be open to the fullest investigation. However, it so happened that shortly after the time the Society thus refused information to the Royal Commissioners, they engaged in a protracted litigation with the Skinners Company; and from the statements made on either side in that cause, the House had, as it appeared to him, the means of forming tolerably correct conclusions as to some, at least, of the questions raised in this discussion. The Skinners Company alleged that the Irish Society were trustees for them and for the other Livery Companies, and insisted that every penny of surplus income, after payment of permanent charges and the expenses of management, should be handed over to them. To that demand the answer of the Society was distinct and precise enough. They said nothing whatever of the "dual trust," on which the hon. Baronet the Member for Maidstone had insisted so often that evening. There was then no division of their duties into primary for the benefit of the localities, and secondary for the Livery Companies. On the contrary, their answer in 1834 was this—that they owed no duties whatever to the Livery Companies, but held the estates in question upon public trusts alone—namely, for the purpose of carrying into effect the objects of the Plantation—that was to say, the promotion and support of the Protestant religion within the district, the maintenance of divers public charities therein, the protection of the Settlement, and "the advancement of the trade and commerce and general welfare thereof." Was it not then somewhat inconsistent in this same Society now practically to deny their accountability to the public of Londonderry and Coleraine, on the ground that they were answerable to the Livery Companies as having reversionary rights and being in fact the ultimate owners, after having defended themselves against these very claims, when formally asserted by the Skinners for themselves and the other Companies, by insisting that their only trust was for the public of Londonderry and Coleraine.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. LAW: But there were two other parties to this suit beside the Companies and the Irish Society—the Attorney General and the Corporation of the City of London. Well, the Corporation did not then concur in the view of the Livery Companies; on the contrary, they averred that the property held by the Irish Society was not impressed with any trust in favour of the Livery Companies or any of them, but was

> "impressed with trusts or purposes of a general character for the prosperity of the said Plantation, and the benefit of the inhabitants and the public in general, entirely apart from private pecuniary advantage,"

and the answer to the Attorney General was to the same effect. That contention was successful—the Bill of the Skinners Company was dismissed by the Master of the Rolls with costs; and, on appeal, the House of Lords affirmed that decision. It could hardly, then, be said that the Royal Commissioners of 1854 were not warranted in stating that—

> "There are no persons or bodies in this country (England) beneficially interested in the receipt of the Society's revenues. Neither the Corporation of London, the Society itself, nor the London Companies being beneficially interested in its funds."

It would, however, appear that notwithstanding the decision by the House of Lords, and the Report of the late Lord Taunton, Sir George Cornewall Lewis, and Mr. Justice Patteson, as just referred to, a difference of opinion did, as a matter of fact, exist on this vital question; and this—even if there were no other reason—seemed sufficient ground for having some further inquiry. Another ground for acceding to the proposed inquiry was the fact that there had long existed more or less dissatisfaction with the administration of its trusts by the Irish Society. He admitted that his hon. Friend (Sir Sydney Waterlow) had shown himself an admirable Governor; but it was not quite satisfactory that, owing to the peculiar constitution of the body, the proper management of the trust should depend on the Society having at its head a gentleman who, however excellent, was only mortal, and who might at any time be succeeded by a person of a different character. And here too, as it appeared to him, there was matter for inquiry, with a view to placing the constitution of the Society on a more reasonable footing. But it was said that this agitation was factitious, and, in short, had been got up by a few interested persons for their own private ends. All he could say was this—that a memorial had been signed by 270 of the most influential of the inhabitants of Londonderry, amongst whom were the Mayor and five or six Aldermen of the city, asking for inquiry; and that another memorial had been signed by 123 inhabitants—including the Town Commissioners—of Coleraine to the same effect; and, having regard to this expression of local opinion, he ventured to think it was rather too much to say that there was no real dissatisfaction existing. Moreover, the Royal Commissioners of 1854 had reported that the evidence taken by them appeared to show that the relations between the Society and its tenants could not be deemed satisfactory, and a similar statement might be found in the Report of the Municipal Corporation Commissioners 20 years before. Now, considering the peculiar constitution of the body, and the difficulties insuperable from their position, having to make costly expeditions annually to Ireland, he felt sure that they did not actually misapply a shilling; but, then, what objection could there be to a full inquiry, the result of which would only be to show that everything was regular and right. There was another matter connected with the Society's management of the trust property to which he (Mr. Law) desired briefly to advert; and that was the uneasiness created amongst the tenantry by some recent attempts, as they believed, to interfere with, or at least question, their tenant-right. Well, he (Mr. Law) did not himself suppose that any such injustice was intended; but the course taken, and the language of certain notices issued on some recent occasions, had naturally caused disquiet on this point. He (Mr. Law) had seen and read the Society's form of lease; and he was compelled to say that although the tenant-right was reserved, the lease itself was subject to such conditions and restrictions as to materially interfere with its value. A lease containing 16 special covenants, with a clause of forfeiture for breach of any one of them, was no real security to a tenant. Looking at this form of lease as given in the local papers, he found that if the tenant failed to protect from injury every shrub and sapling on his farm, or let a road or a drain be for a day out of order, or even if, without his knowing it, a judgment creditor, by registering his judgment as a mortgage, transferred the holding to himself as security for his debt, the lease was forfeited. Now, so long as his hon. Friend remained Governor of the Society, he (Mr. Law) knew that this tremendous power would not be improperly exercised; but it was an undesirable and unhealthy state of things when in business contracts like a lease, one party was thus placed entirely at the mercy of the other. And now for a few words on the composition of the Irish Society. It consisted of a Governor, a Deputy Governor, and 24 Assistants, who were changed every two years, the only permanent officials being the Governor and the Recorder of London. Now every one of these gentlemen might be, and no doubt was, anxious to do his duty, but they were beset by difficulties, of which, perhaps, the greatest was that they knew, and could know, little or nothing of the localities or the requirements of the people for whom they were trustees. It was true a deputation made an excursion to Ireland every autumn, remained there about 14 days, and gave some very pleasant parties; but such a system for administering a local trust in the North of Ireland seemed almost an absurdity. The fact was, the Deputy Governor and assistants were out of office before they could gain any acquaintance with the requirements of the locality. Perhaps, too, he might remind the House that the Commissioners of 1854 recommended the abolition of the Irish Society, and the appointment of local trustees by the Lord Chancellor of Ireland. Difficulties, no doubt—and serious difficulties—might easily be suggested, as likely to arise with a system of purely local trustees; but he would hope that it was not beyond the reach of Parliamentary wisdom to devise a scheme which would obviate these objections. Could they not, at all events, arrange to give the Governor a helpful body of assistants to aid him in his duties, instead of 24 *faineants*, all in a row, who could be of no earthly use to him, or those for whom they were supposed to act? There was again another point to which he wished to allude. It would be seen that the population of the county of Londonderry in 1871 was about 174,000, and of these more than one-third were Roman Catholics, all of whom were absolutely excluded by the provisions of the Charter from participating in the trust. Now, could that be justified in these times? He found that large sums were expended by the Society every year for education. In Londonderry there was disbursed for schools £1,843, and in Coleraine £873. Now, of course, none of these were Roman Catholic schools, for the Society was precluded by its Charter from promoting any but the Protestant religion. But as far as could be learned from the published accounts, it would appear that out of £2,716 given to schools in Derry and Coleraine, the sum of £80 only was given to the National Schools intended for, and open to, children of all creeds. This point, at all events, he (Mr. Law) thought, might be more fairly and usefully dealt with, by allotting the larger proportion of the Society's educational grant to assist those schools which the State had provided and endeavoured to make available for all children, Catholic as well as Protestant. The hon. Baronet the Member for Maidstone had told them that the Society's school at Coleraine was open to all. That might be so; but still it did not seem to him a sufficient concession to the conscientious convictions of a large part of the population. The Society, in short, in all that related to or touched upon religion, was founded upon views that were now happily obsolete, and must be replaced by others more in harmony with modern principles. It was, therefore, no matter for surprise that four years after the Royal Commission of 1854, the Endowed Schools Commissioners, when they turned their attention to this matter, should have recommended that immediate steps should be taken in order that all the funds which, under the Charter of the Irish Society, were devoted to education should be placed under a system of efficient management, for the benefit of all the people of the county. Now, all these various considerations showed, as it appeared to him (Mr. Law), that some inquiry should take place. If the Committee were not granted the matter would be closed for this Session, but the question would assuredly soon be raised again. It was not for the interests of either the Irish Society on the one hand, or Londonderry or Coleraine on the other, that any ground, or even supposed ground, of complaint should remain. He did not believe the Society had anything to conceal. He was convinced that for many years back they had done everything that could be reasonably expected of a body of trustees so constituted; but in their own interest, as well as in that of the people concerned, he thought there ought to be an inquiry such as that now proposed.

MR. D. TAYLOR said, that as the Representative of one of the towns embraced in this property (Coleraine), and in which he had resided all his life, he had had every opportunity of observing how the duties of the Society had been carried out. He had listened with great pleasure to the discussion that had taken place, and to no part more than the clear statement that had been made of the trusteeship for the towns of Derry and Coleraine. And he had to state this—that although the towns of Derry and Coleraine had been for a long time dissatisfied with the way in which the funds in question had been distributed, that feeling had during the last 10 or 15 years undergone a change—at all events, so far as the latter town which he represented was concerned. He had had to meet the Deputations of the Society for nearly 20 years, and had had occasion to bring many matters before them, and he must say—as he had said in past years—that they had always given their best consideration to the various applications made before them, with the full desire of doing their best for the town and inhabitants of Coleraine. As regarded their grants for educational purposes, they had been most liberal—their schools were large, and one of them provided accommodation for 700 children—they were free to all classes, and were always full. He must correct the statement of the right hon. and learned Member (Mr. Law) that these schools were not under the National Board. These schools were under the National Board—these schools, moreover, were not only under the National Board, but were managed by a local committee. As regarded the trade and commerce of the towns, he had never known an improvement suggested in which the Society was not willing to join. As to the navigation of the river Bann from Coleraine to the sea, the Society had agreed to assist with £1,000 a-year for 10 years, £3,000 had been paid when the project was abandoned; but it was now resumed, and the Society had agreed to grant £1,000 a-year, not for 10 years, but for 25 years. As regarded the management of this property, Coleraine at least had no cause to complain—the Society had granted leases on such terms as had given great satisfaction. No doubt some alteration in the constitution of the Society would give satisfaction, because it was objectionable, that persons who had no knowledge of the county should be placed upon the Board, and cease to be members just as they had acquired some knowledge of their duties. The inhabitants of Coleraine, however, did not think that that was a proper time to press these changes on the Society. If their conduct of affairs continued what it was, the inhabitants of Coleraine felt that the matter might be left in the hands of the Society. That being so, he could not support the Resolution, against which he had received a Petition signed by a much larger number of persons than supported the requisition in favour of bringing the subject before the House last Session.

MR. SERJEANT SHERLOCK contended that no answer had been given to the Resolution which had been brought forward on the subject before the House by the hon. Member for Londonderry. If indeed, there had been any question of want of confidence involved in the Motion, he would not have supported it; but what the Resolution asked for was investigation; the necessity for which was shown by the fact that no one could say what were the trusts on which the Society held the property in question. They had heard the decisions of the Courts of Law, and they had now heard the very important declaration of the hon. Member for Maidstone (Sir Sydney Waterlow), that it was a public trust under which that property was held; and once that fact was established, all minor questions must give way to that of investigation as to the manner in which such public trust was administered. The hon. Member admitted that fees were paid, but excused them on the ground that they were so small; still, those payments to trustees were misapplications of trust funds which were quite unjustifiable; no explanation had been given as to the large tavern expenses, amounting to several thousands of pounds; and there were various other matters which demanded inquiry. The question for investigation was simply as to whether the funds of this public trust had been legitimately applied. This was not the first time the matter had been brought before the Parliament. Investigation was promised in 1869, by the then Chief Secretary for Ireland (Lord Carlingford); and if that promise had been kept we should now have been in a position to say—what the proposed inquiry was intended to show—what were the trusts on which the Irish Society held their estates, and how the rents of those estates had been applied. He hoped some Member of the Government would explain what these trusts were. It was impossible that matters could remain as they were at present, and if the investigation asked for was refused by the Government, he hoped the Motion would be repeated again and again till it was granted.

Mr. WHALLEY said, that so long as the House encouraged and listened to the agitation of such questions from Ireland they would have enough of them. It was not disputed, certainly it was not disproved, that the Irish Society administered its duties with admirable tact and ability; and the House had been called upon to waste so much valuable time, merely for the purpose of inquiring whether some other organization could be sustituted for the one in existence. The Corporation of London deserved every credit for the grand success of the experiment it had made in Londonderry, by which it had supplied a complete counterpoise to the otherwise dominant power which had so long had an unfortunate influence in Ireland. In that country the world might see the two systems in operation side by side. On the one hand they had seen massacre following massacre, and desolation spreading over the rest of Ireland; while there, in the extreme North, civilization and prosperity had gone hand in hand. He trusted that the House would do nothing to destroy this one good example of Protestantism as opposed to Popery, and agree to this purposeless and objectless Motion without a single grievance having been made out. There had been no complaint made against this Society of money misapplied or of the existence of great dissatisfaction; and all that had been suggested against it was that some change was wanted in the organization of the Board. The fund could not have been more honestly and honourably managed than it had been under the present Board. For two or three centuries it had been the model and example of good administration to all Ireland, and it was, indeed, hardly too much to say that it was the best governed and most prosperous district to be found in Her Majesty's dominions.

Sir MICHAEL HICKS-BEACH said, there could be no doubt that the constitution and the management of the Irish Society of London might be a legitimate subject of inquiry by a Select Committee of the House of Commons, and he should be reluctant to interpose any obstacle to such an inquiry if sufficient grounds were shown for it, and there did not appear reason to suppose that the mere granting it would create greater mischief than would be balanced by any good that could possibly result. What was it that was sought? The hon. Member for Londonderry (Mr. C. Lewis) asked for a Committee to inquire into the constitution, management, and annual expenditure of the Irish Society of London. Now, he would venture to say that there was hardly anything upon which the House had already better means of forming a judgment than on the Irish Society. Its constitution might be found, by anyone who liked to look for it, fully described in the judgment of the House of Lords to which allusion had been made, in frequent debates in the House of Commons, and in the Reports of Royal Commissions. Its management and annual expenditure had been explained by the hon. Member for Maidstone, and both had been so fairly and and openly placed before the House and the country by the Society that he could not conceive that any further information on those two points could be obtained by the inquiry of a Select Committee. But the right hon. and learned Member for the county of Londonderry (Mr. Law) had told them, amongst other points, that he considered inquiry was necessary in order that the trusts of the Society should be more clearly defined. Again, he would refer hon. Members to the judgment of the House of Lords on that point also. He could not conceive that any Committee, whatever ability it might display in the preparation of its Report, could more conclusively state what were the trusts of the Irish Society. It had been admitted that night by the hon. Baronet (Sir Sydney Waterlow) that the Society held its property subject to a trust for certain public objects. He found that in a previous debate in this House Baron Dowse stated this as the effect of the decision of the House of Lords—

> "That the Irish Society were declared to be trustees for public objects, and that, after having satisfied these public objects within their discretion, the surplus ought to go to the London Companies."—[3 *Hansard*, cxcv. 709.]

That, then, was what he understood to be the position of the Irish Society. With regard to its management and expenditure he would speak presently; but first of all he would ask the attention of the House to the latter part of the hon. Member's Motion. The Motion asked for inquiry

> "as to what, if any, changes can be made in the governing body or the mode of administration in order to insure a more economical and advantageous application of the property, or whether such result can be best attained by placing the property in the hands of public Trustees resident in Ireland."

Now, that pointed to a conclusion far more sweeping than anything in the mere words of the Motion. It pointed to a conclusion definitely expressed in the Motion of which the hon. Member for Londonderry gave Notice last Session, though he did not bring it before the House—a conclusion which seemed to have been pressed upon him by many of his constituents, and was pointed at still more clearly in his speech—namely, that the property of the Irish Society should be taken away from them and placed in the hands of public trustees, locally resident. Now, before assenting even to inquiry into a proposal of this kind, the House ought to be satisfied how far the Society had or had not fulfilled the public trusts for which they were constituted. He had failed to gather from any previous speaker a statement that the Society had not to the utmost of their power fulfilled those public trusts. The hon. Member for Londonderry himself (Mr. C. Lewis) spoke of the magnificent manner in which the Society were now behaving to Derry and Coleraine. Certainly the hon. Member went on to hint—and his hint was amplified by a subsequent speaker—that the attacks on the Society which were made or threatened had disposed them to behave more liberally than heretofore. This assertion, however, was conclusively refuted by a mere glance at the grants made in previous years, long before any attacks of this kind were meditated. He had listened attentively to the speech of the hon. Member for Londonderry (Mr. R. Smyth); but though in addition to being a Member of that House he was a Professor of Magee College, he failed to catch any allusion to the liberal contribution in 1850 of £1,000 from the Society to the College, towards the foundation of a Professorial Chair. Then in 1854 the Society made a large contribution to the waterworks of the city of Derry; in 1856 there was the building of those schools in Coleraine which, as the hon. Member for that borough (Mr. D. Taylor) informed the House, were under the National Board, and open to children of all denominations. In 1861 the Society gave £10,000 towards the bridge of Coleraine, though it was now urged as a great blot on the fair fame of the Society to have allowed the debt to accrue; and within the last two years grants had been promised by the Society of £1,000 a-year for 25 years towards a harbour at Coleraine, and no less than £40,000 towards paying off the debt upon the bridge at Londonderry, which had been mentioned by the hon. Member (Mr. C. Lewis). He would not trouble the House with any statement as to the application of the funds to other public purposes of the locality. The Governor of the Society (Sir Sydney Waterlow) had sufficiently entered into those matters. He only mentioned enough to show that there was no good ground for complaint as to the mode in which the Society administered its revenue in Derry and Coleraine. It had been said by the right hon. and learned Member for Londonderry (Mr. Law) that it was a pity the Society could not contribute towards denominational objects, such as Roman Catholic education in the county of Derry. But there were sufficient undenominational objects, such as harbours and bridges, to which the Society could subscribe, and the hon. Member (Mr. C. Lewis) had not hinted that he would desire such an application of their funds. What, then, was the object of the Motion of the hon. Member? The misappropriation of the funds of this Society spoken of by the hon. Member took place almost centuries ago, and he (Mr. C. Lewis) appeared to argue that, as for a great many years the Society had devoted their funds so largely to local objects as to leave no surplus to go into the pockets of the City Companies, the property should be taken from them and placed in the hands of local administrators. The hon. Member touched upon the expenses of management, on the fact that the property was governed by a non-resident body, and its alleged interference with the discretion of the Corporation of Derry; but were these points of sufficient importance to justify a Motion which, whatever its terms, would be accepted out-of-doors as not only a censure of the Irish Society, but as directly affecting the property of the City Companies, and even of private proprietors in the North of Ireland? But what were the facts as to the expenses of the management? The hon. Member for Derry stated that in one year £970 was charged for the expenses of a single visit of the Deputation to Ireland. That did seem a large sum; but it was not alleged that it was spent for any private purpose. The Deputation visited Ireland on the business of the trust, and did—as he hoped they would continue to do—entertain the principal persons of Coleraine and Derry in a manner which no doubt gave great satisfaction to those persons; and he understood they not only spent the money of the Society, but some of their own private funds as well. Then the House had been told of law expenses, of a fee of 10*s*. for each attendance at meetings of the Council, and of £450 charged for the establishment of the Society in London. Did this contrast unfavourably with what they knew of the management of trust funds by public bodies of other kinds? Had they never heard of the legal and other expenses of certain Commissions instituted within the last 25 years by Parliament itself for the administration of trust funds? It was possible that the expenses of management might be lessened if the property of the Irish Society was handed over to local trustees in Ireland; but in some ways the trust fund might be more advantageously distributed by a non-resident managing body, for they were perhaps less liable to be biased by local interests and less disposed than the corporations of certain towns in Ireland had recently been proved to be, to devote their lands to the benefit of themselves, their relations, or their friends. The hon. Member said the Society exercised an abnormal control over the Corporation of Derry. Well, they paid the Corporation £1,200 a-year; and perhaps the control in question was not entirely useless, for when the Corporation got into difficulties some time ago and had to pawn their mace, the Society redeemed it from pawn, and restored it to them. The hon. Member said that the Society exercised so complete a control over the Corporation as even to interfere in the naming of the streets. One would scarcely have thought that in Derry this would have been felt as a very great grievance, when it was remembered that, about two years ago, the Lord Mayor and Corporation of Dublin, with great ceremony and parade, changed the name of Essex Bridge in that city, which had been so named after a Saxon Lord Lieutenant, to Grattan Bridge, in honour of a distinguished Irish patriot; but from that day to this "Essex Bridge" remained painted up at the corner of the street, and they had never taken the trouble to alter it to the new name. Having now gone over the points upon which the hon. Member grounded the Motion, he asked the House to consider whether they were really sufficient to justify them in granting this inquiry. The mode of appointing members of the Council, and perhaps the mode of granting leases to tenants, might need reform—though the Society were not the only landlords in Ireland who were found fault with on the last head. For the sake of these comparatively small matters, would the House sanction a Motion which out-of-doors would be taken as an intention to deprive the Irish Society of their property altogether? This matter was not now brought for the first time before the House. In 1869 there was a debate upon it, and at that time Lord Carlingford speaking for the late Government admitted that there were points connected with the Irish Society which required looking into, but it was for the Government to consider whether any legislation on the subject was required, and whether there should be any investigation supplementary to the inquiry of 1854; but that there was no occasion to proceed with undue haste in the matter. It was (said Lord Carlingford) the duty of Government to satisfy themselves whether it was necessary to institute any further inquiry either by a Committee or by a Royal Commission, or to propose any legislation with regard to the Irish Society. That Government remained for four years subsequently in office. He (Sir Michael Hicks-Beach) did not doubt that according to that promise further investigation was made in the matter, and he was forced to conclude that they had come to the decision that although it might be desirable to effect some small reforms, the dangers and difficulties of dealing with the subject were so great as to outweigh the advantages that could be expected to result from them. He thought the right hon. and learned Gentleman opposite (Mr. Law), who was afterwards Attorney General for Ireland in that Government, must, when he made his speech that night, have forgotten the debate of 1869. As to the Motion, he thought that serious results might follow from agreeing to it. He came to this conclusion not so much from the terms of the Motion itself as from the object that more plainly appeared in the Motion of last year, in the Petition presented by some of the constituents of the hon. Member (Mr. Lewis), and specially in the hon. Member's speech this evening. It was not merely the future of the Irish Society which was now in question. The hon. Member for county Derry (Mr. R. Smyth) wished the City Companies to remain Irish landlords; but the passing of such a Motion would be a strong inducement to the Companies to withdraw from the North of Ireland. Their property was held under the same charter, and if they found the Irish Society disestablished and disendowed it was perfectly conceivable that the next step would be to attack the Companies, perhaps on the ground that they had not given sufficient consideration for their property, and that therefore it should be taken from them and divided—possibly without payment—amongst the existing tenants. Those Companies, with such a possibility before them, would probably at once take steps to dispose of their property. But that was not all. There were private properties in the North of Ireland held by titles either resting on a similar basis, or actually derived from the Irish Society. He did not know whether or not they would be endangered; but if the House passed this Motion, a vista of possible consequences would be opened which he would rather not contemplate. The House had heard nothing from the hon. Member for Derry which would justify them, for the sake of such small advantages, in undertaking so grave and so perilous a task.

MR. LAW said, the right hon. Gentleman had strangely misunderstood him. He had not urged the Irish Society to contribute towards denominational objects; but had complained that owing to the limitations in their Charter their contributions were practically in favour of denominational education and confined to one particular sect.

MR. CHARLES LEWIS, in reply, said, that nothing could be more satisfactory than the attention which the House had paid to this matter; which, after all, had very much of a local character. He denied that the Irish Society had the least right to take credit for liberality in the manner in which it had discharged its duties—they had simply spent their money according to their Charter. It was not generosity, but the mere performance of a duty—when it was said that they had given £1,000 to one thing and £10,000 to another, that was not the case. He was much amused by what had been said about their liberality in the matter of the cemetery and the waterworks. So far from being liberal, they had claimed £5,000 from the Corporation of Derry in respect of land required for waterworks for the town, and upon an arbitration they had been awarded £510. They had also asked £1,500 for land which was wanted for a cemetery. As to leases, in Belfast those granted were perpetuity leases, whereas in Derry the Society had only granted leases for 61 years, and manufacturers would not build upon land let for so short a term. The term was now, he believed, extended, and changes were being made of a more liberal character.

Sir SYDNEY WATERLOW said, his hon. Friend was totally uninformed on the matter. Nine-tenths of the leases granted within the municipal boundary of Derry were perpetuity leases.

Mr. CHARLES LEWIS said, that was the old property. It was during the present century that perpetuity leases had been refused. In refutation of the statement that this agitation had been got up by "a small and contemptible clique," the hon. Member referred to the requisitions desiring him to take up the question. One was signed by 261 citizens of all classes and creeds, including five out of the six Aldermen of the city, 13 out of the 18 town councillors, 64 merchants, and others. The memorial sent from Coleraine was signed by nine out of the 18 town commissioners. As to the assertion that there was no breach of trust, he replied that 45 per cent of the income was spent in managing expenses. He was content to go to a division with the knowledge that on this matter, as on many others, a Conservative Ministry and the Conservative Party shut their eyes to the necessity of reforming institutions, leaving it rather for a Liberal Ministry when it came into office to work out Radical changes with a ruthless hand.

Question put.

The House *divided*:—Ayes 53; Noes 108: Majority 55.—(Div. List, No. 17.)

EDUCATION (TRAINING OF TEACHERS).

MOTION FOR A SELECT COMMITTEE.

Mr. B. SAMUELSON, in rising to move that a Select Committee be appointed to inquire into the system of apprenticeship of Pupil Teachers in Elementary Schools, and into the constitution of Training Colleges for Elementary Teachers, said, that by a Return presented in June last it appeared that £5,250,000 had been expended in the year ending the 31st of March, 1875, on elementary education, not by a Vote of the House alone, but by contributions from Imperial funds, from rates, subscriptions, and school pence contributed by the parents of the children. The amount contributed by Imperial taxation was £2,250,000, being an increase of £600,000 in the course of three years, at the rate of 30 per cent. If the local expenditure had also increased at the same rate, they might assume that during the year 1877-8 the expenditure of the country on elementary education would not be very far short of £6,500,000, a larger sum than was being spent by any country in Europe; but notwithstanding that large outlay the results were far from satisfactory, for he found that out of the number of children attending the elementary schools not more than 800,000 were able to pass the three lower Standards, and and not more than 200,000 the three higher, and that of those 17,000 had failed in reading, 52,000 in writing, and no less than 66,000 in arithmetic. Of all the children in our schools not more than 11,000 were able to pass in the Sixth Standard in arithmetic, or 1 in 250. His noble Friend the Vice President of the Council said last Session that the sober wishes of the country in respect to the education of the people had been disappointed, and he came to the conclusion that this was chiefly owing to irregularity of attendance. He (Mr. Samuelson) believed that that was not the only or the principal reason. He attributed it in no small degree to the deficiencies in the teaching staff. There were 21,000 certificated elementary teachers in England and Wales, 2,000 or 3,000 assistant teachers, and 39,000 pupil teachers. Thus there was less than 1 certificated teacher to every 120 children in our elementary schools. It must be acknowledged that the teachers and assistant teachers alone were not sufficiently numerous to supply the educational wants of the country. It became, therefore, necessary to inquire what was the capacity of the pupil teachers who were relied upon to supply the deficiency of the teaching staff. They were from 13 to 18 years of age, generally educated in the elementary schools, superior, but not much so, to the other children, and not necessarily possessing any special vocation for teaching. It must be evident that for the first years of their career they could be but of very little assistance to the teachers of the schools. He should not, however, rely on any *a priori* reasoning on this point, but would show from the Reports of the Inspectors of Her Majesty's schools that the qualifications of the pupil teachers generally were so limited that their assistance in the work of education must be of very little value. The hon. Member quoted passages from more than 20 Reports of Government Inspectors in support of this statement. The pupil teachers were described as exhibiting in many instances extreme ignorance. One described Milton as "a learned Egyptian." To the question—"Who were the Roman Emperors who visited Britain?" another replied—"Julius Cæsar, who converted the Britons to Christianity 45 years before the birth of Christ;" and a third said that—

> "The Duke of Marlborough was a celebrated general who lived during the reigns of Mary and Elizabeth, and fought the battle of Waterloo."

In regard to London, he had examined the detailed Reports of the Inspectors of some 12 Board schools; and of that number there were not more than four in which some grave fault had not been found with the work which had been done by the pupil teachers in such elementary subjects as reading, grammar, and composition. Another test of the efficiency of the system was afforded by the examination of pupil teachers after they had served an apprenticeship of five years, for admission into the Training College. Mr. Matthew Arnold, speaking of the grammar papers of candidates, said that at no time since he had been a School Inspector had he known them to have been worse. Great dissatisfaction was beginning to arise in the country with the pupil-teacher system, and the London School Board and the school boards of several other large towns had expressed themselves strongly upon the subject. Pupil teachers were now overworked alike in imparting instruction to youthful scholars and in attending to the claims of their own education; and that was an evil which called for remedy. It was to be regretted that in the new Code no relaxation of the rule compelling the principal teacher of a school exclusively to give instruction to the pupil teachers under him was to be found. Where class-room teaching was adopted in schools the pupil-teacher system was quite inapplicable, and this furnished another reason for an inquiry being held. Turning, then, to the instruction of candidates in training colleges, the accommodation in this was quite out of proportion to the number of those asking, and qualified by examination, for admission—and this whilst the demand for certificated teachers was far in excess of the supply. He (Mr. Samuelson) could not imagine why in such places as the metropolis it should not be possible for young persons to be trained as elementary teachers without entering into a sort of cloister, which, moreover, was a purely denominational institution. The only remedy for the existing state of things provided by the new Code, was that in future, monitors should be admitted at the age of 12 years, and that if they pursued their studies satisfactorily for two years they might then be apprenticed as pupil teachers. He did not know that he was bound to state what remedies he would suggest—he would much rather they should be suggested by persons more qualified than himself—a Committee of the House or a Royal Commission. He would, however, say that he had formed some opinion on the subject, and he thought if nothing more could be done the English Code should be assimilated to the Scotch Code, so that the Colleges should cease to be exclusively boarding houses. They might also offer every inducement to University graduates to become elementary teachers. By that means they would raise the standard of the whole body of elementary teachers, and so an important point would be gained. Still, he did not think when all this was done they would have done enough. He was anxious to see power given to the school authorities of a districts to combine for the purpose of establishing preparatory Training Colleges. No doubt the expense would be considerable at first; but in the long run he thought it would result in a great saving to the country, because an efficient system was cheaper than one which, however cheap, failed to effect its object. He disclaimed any idea of casting a reflection upon the elementary teachers, who as a body he believed to be very zealous in their calling, or on the pupil teachers who were already doing much more than could be expected of them considering their youth. The whole system at present existing was unsatisfactory and unsound, and no matter what were the numbers of children brought into our schools our elementary education would never be satisfactory until those children were placed under the care of a greatly increased number of thoroughly qualified elementary school teachers.

Mr. FAWCETT seconded the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the system of apprenticeship of Pupil Teachers in Elementary Schools, and into the constitution of Training Colleges for Elementary Teachers."—(*Mr. B. Samuelson.*)

Viscount SANDON said, anybody who had watched the course of the hon. Gentleman who had introduced the Motion could not help being aware of his full right to bring a question of this importance before the House. Though he might not agree with all the opinions the hon. Gentleman had expressed, he was bound to listen to them with every attention. The hon. Gentleman had gone over a very wide field of observation on the present occasion, and he had touched upon some very large topics; but in the course of his reply he would confine himself to the two leading points which appeared on the Notice of Motion. The hon. Gentleman had quoted very largely from the Reports of Her Majesty's Inspectors of schools. He did not find fault with him for doing so; but he must remind him that Her Majesty's Inspectors did not all take the same view as those whom he had quoted, and some of the others had modified those views with the observations with which they had accompanied them. He thought all were agreed as to the desirability of securing as good a staff of teachers as could be obtained. As to the failures of pupil teachers at examinations, the hon. Gentleman had quoted some observations of his friend, Mr. Matthew Arnold, on the subject. They must all know that anyone of the great attainments of Mr. Matthew Arnold must have suffered untold torments in the ordeal of wading through the commonplace papers which various pupil teachers must produce. They should, however, remember that they must not press too hardly upon poor children of 14 or 15. He dared say that Mr. Arnold would bear in mind his own University, where many hon. Gentlemen had taken distinguished honours, and where probably they had produced comparatively as bad answers as those which had been quoted as showing the extremely degraded intellectual condition of the pupil teachers of England. The hon. Gentleman went on to allude to the strong representations which had been made by the School Board for London on the subject. It was quite true that the London School Board did ask the Education Department to sanction a very great change of system; but the Department could not comply with the request because it would have been in direct dereliction of the Code, and the Code having all the authority of an Act of Parliament, they had no power to go beyond it. The London School Board had complained especially of their disadvantages in regard to the training of pupil teachers, referring to the difficulty of instructing one teacher in half-a-dozen subjects; but the London Board had many large schools and able teachers, and they should have been the last body in the world to complain of not being able to allot different groups of teachers to their different schools. The whole subject was no doubt a very serious and important one; but to ask for a Committee of the House to investigate it would, to his mind, imply that there was a distinct current of dissatisfaction with the present system. If such dissatisfaction did not exist he thought the House would agree with him that it would not be wise to imply distrust while great changes were going on in the educational system. It was not quite clear that the pupil teacher system was so rotten as the hon. Member seemed to imply. The underlying thought in the hon. Member's remarks apparently was the supercession of pupil teachers by adult teachers; but the Government of Holland was again expressing its assent to the pupil teacher system, though raising the age to 16; while authorities in America—men who were favourable to advanced education—were expressly regretting that the system did not exist there, and attributed many failures to the absence of young teachers.

Again, the pupil teacher system was not to be lightly dismissed as one of a trifling or indifferent character. Surely the hon. Gentleman had not forgotten that it was introduced by the eminent and gifted Sir James Kay-Shuttleworth who had observed the use of it in Holland, and to whom they were so largely indebted on all educational matters. There was also a very considerable mass of testimony in favour of the system. To show that he had not overlooked the importance of the subject he might mention that during the winter they had taken the opportunity of consulting many of the leading Inspectors in regard to it. He found the general opinion to be that there was a steady and marked improvement of the pupil teachers; but certain recommendations were made which he thought worthy of all consideration. It was thought very important that they should gradually raise the age at which children should be allowed to teach, particularly in the case of girls; that they should gradually raise the standard and establish something like a probationary class from which pupil teachers should be taken. After full consideration, they had agreed to make those changes in the Code. The hon. Member had passed rather cursorily over what was considered of great importance by leading educational authorities. Only three instead of four pupil teachers would be allowed for the future; but when schools averaged above 220 there might be an additional adult teacher. There would also be two supplementary monitors of 12 years of age instead of a fourth pupil teacher, and they would teach three hours instead of five. No pupil teacher hereafter would be qualified till 14 years of age, and they must pass the examination which had hitherto been passed at the end of the first year. The effect of this would be that the pupil teachers would be an elder class, and therefore more able to go through the labours of their position. There would also be probationers from 12 to 14, so that teachers and managers would be able to select from them those who should fill the higher office of pupil teachers. He mentioned this for the purpose of showing that he was not unmindful of pupil teacher apprenticeship, and that the best steps had been taken to improve their position, acting on the principle that these changes should be gradual. With regard to the present position of the teachers in this country, it was supposed by many that teachers were only supplied from pupil teachers and Training Colleges; but a very considerable number come from outside. What were the advantages of the present pupil teacher system? Its advantages were very great, quite independent of any matter of expense. It was a great advantage to have even children teachers for elementary teaching. He was confirmed in that by the remarks of a very experienced man, Dr. Rigg, the head of the Wesleyan Training College, and a man of large experience, who was entirely of that opinion. Pupil teachers were invaluable, provided they were constantly under the superintendence of adult teachers. If they got rid of this youthful system of teachers they must fall back on a great system of adult teachers, and the expense would be perfectly enormous. The expense was becoming a very serious matter, both locally and Imperially; and if they could get as good results from the present system they were bound to adhere to it. Then if they gave up pupil teachers they must fall back on very large classes; and nothing, he believed, could be so bad for elementary teaching as very large classes. One advantage of the present system was that we were able to pay children from 13 to 18 years of age for their work as pupil teachers; but if we were to establish a college pure and simple for those between 13 and 18 years of age, that would be attended with a most serious expense. There was another advantage in having a great staff of pupil teachers, for it enabled them to pay greater attention to the schools. An additional advantage of the present system of pupil teachers was the tie established between the master and the pupil teacher, for it kept the pupil teacher up to the mark and obliged him to polish up his weapons. Suppose in answer to the proposition of his hon. Friend, you were to destroy the present system, you would thereby destroy the tie between the head teacher and the pupil teachers. He held that in the training of the character of the future teachers of the country nothing could be so important as the tie—a very close one it was known to be in many schools—between the head teacher of the school and the pupil teacher. The head teacher had watched that child almost from infancy through all its different stages, and he felt almost a paternal interest in it. The breaking of that tie by establishing a central system would, he believed, be a very great blow to the national teachers of the country. If you once embarked upon a centralizing system, the responsibility of the head teacher for that child would be absolutely gone. Suppose that child as a pupil teacher gave bad lessons, how was he to blame that child for doing so?—seeing that the responsibility had been shifted to another person, under whose roof that child spent a very great part of the day. Moreover, a centralizing system would destroy the respect for the teacher. A child would naturally expect that a teacher was fit to instruct him in all the various subjects which came within a school life; but the child would be told that he must go to this person for history, to that person for geography, to another person for arithmetic, and at last he found that there was hardly a subject in which his master was fit to teach him. When respect for the teacher was destroyed, subordination in a school was absolutely ruined. The proposition of the hon. Gentleman came to this—an attempt to substitute a professorial for a tutorial system. He acknowledged and admired the zeal displayed by the hon. Gentleman for the pupil teachers; but he said, without doubt, that for these children between 13 and 18 a tutorial system was ten times better than a professorial system. Everyone of Her Majesty's Inspectors of Schools complained of the great pressure upon these young children. They all said the pressure was too great. The pressure would perhaps be ten times greater if a centralizing system were established, and they had to go for instruction to different parts of the town. It would be very unwise to subject these children at a most critical age to the excitement and competition of the proposed centralizing system. A bad effect would also be produced upon the teachers, who would be taken away to deliver lectures in those central schools. Moreover, it would tend to aggravate the evils of "cramming," from which children already suffered sufficiently. From his official experience he held most strongly that it was safer in the interests of these children, as the future teachers of the land, to leave them to the more substantial teaching of their own masters and mistresses in their own schools than to expose them to the keen competition of centralizing schools. Many of the leading educational authorities looked upon the scheme of his hon. Friend with the very greatest fear. His hon. Friend would perhaps say that the present system was a narrow one. It was not narrow. There was immense elasticity in it. Under the present system there was perfect freedom and elasticity; and provided that the tie was maintained between the pupil teacher and the head teacher of the school, and that the head teacher gave the pupil teacher five hours' instruction per week—surely not too great an amount to insist upon—there was nothing to prevent the grouping of pupil teachers together for teaching on Saturday afternoons or evenings. The Liverpool Board was now trying that experiment, which might be made in other places with great facility. He would next refer to the question of Training Colleges, to which his hon. Friend had alluded. It was true that the Scotch had Training Colleges; but it must be remembered that the case of Scotland, which had its own advantages, was different from that of England in many ways, and that the advantages of the English training system were very great indeed. The more he looked into the matter the more he saw that the character of the school must depend upon the character of the teacher, and the more anxious he was to secure that the teacher should not only be good intellectually, but also fitted by character to be entrusted with the care of children. It was absolutely necessary, as far as possible, to keep as close a watch over the character of the teachers of the future, as over their mental attainments, for the character of the children would in future depend on that of their instructor. All would admit that the charge of children between the ages of 14 and 18 years was a very different thing from that of mere day-school children up to 14; and he hoped that the House would hesitate for a long time before they got the mass of their teachers from other sources than they did at present. Their existing Training Colleges did not belong to one denomination only. The Church of England, from its position, naturally had a large number, including that of St. Mark's and others, whose excellence was well known and recognized. The Wesleyans had also a Training College at Westminster; other religious Bodies had their Training Colleges, as, for example, those at Borough Road, Stockwell, and Homerton; the Roman Catholics having theirs at Liverpool. He trusted, therefore, that the House would pause before it rashly interfered with that system. It was often forgotten that there was not the least reason in the world why people should not enter the teaching Profession from outside; and, in fact, there was nothing now to prevent anybody from establishing a subsidiary system of that sort. Persons over the age of 21, if they had only shown teaching capacity by working for six months as assistants in an elementary school, would find the teaching Profession open to them, and might pass into the ranks of certificated teachers, so that different views on that subject might now be perfectly well tried by experiment, and it would be much the best course for those who thought the existing system was not satisfactory to let that experiment be made, as it easily could be at present. He was not anxious that there should be one rigid, uniform system in that respect; it was much healthier that there should be various avenues and means of access to the teaching Profession; and that was the case now. But he put it to the House strongly, in the interests of education itself, whether it was not most undesirable at the present moment to make any more great changes in the existing system, which nobody could say had broken down. They had already made great changes with the assent of both sides, not only by legislation, but in the Code; and his experience of his present office made him believe that they ought now to try to get a period of rest, and that the minds of teachers, of managers, and of school boards should not be distracted for the next two or three years in their important work. Everybody, he thought, would also allow that they had a good series of school subjects in their Code; and they had succeeded in getting the children into the schools. The work of education might be watched as closely as they liked, but no step ought to be taken which might disturb the teachers' minds and distract them from the difficult problem which they were now solving with such satisfactory results.

MR. FAWCETT expressed his astonishment at the remarks of the Vice President of the Council, because three-fourths of those remarks were not in the slightest degree pertinent to the Motion now before the House. But the speech would have been extremely pertinent if the Motion had been that, in the opinion of the House, it was desirable at once to abolish the pupil teacher system. If he (Mr. Fawcett) had thought that was the object of the Motion which he had seconded he would not for one moment have given it his support. The hon. Member for Banbury (Mr. Samuelson) and himself did not wish the House to prejudge the system or say one word against the pupil teacher system. He believed in the system. His motive was simply this—that they believed if certain changes were carried out the system would be rendered more efficient. The noble Lord had not only been guilty of inaccuracy with regard to the import of the Motion, but he had contradicted himself. How did he reconcile the vaunted elasticity of the present system with the statement he made at the beginning of his speech, to the effect that he would not discuss the proposed recommendations of the London School Board because he was tied hand and foot both by the Act of Parliament and by the Code? He (Mr. Fawcett) supported the Motion principally because he most heartily and cordially endorsed every word that had been said by the Vice President of the Council against the serious disadvantages which resulted from the employment of pupil teachers between 13 and 18 years. That seemed to be one of the most important points for inquiry, and it was exactly a question which the House would do well to investigate. The present system had so enormously overworked the pupil teachers, that it was detrimental to their health, and so exhausted their energies, that it was not only injurious to them as long as they were pupil teachers, but most grievously interfered with their efficiency in after life. He was quite aware that the legal time during which they might give instruction was five hours; but there was evidence showing that they often taught for six or seven, and in some cases even for seven and a-half hours a-day. The work of teaching was peculiarly exhausting, but the labour of the pupil teachers did not end there, for it was necessary that they should prepare themselves for examination, and for this preparation some two or two and a-half hours daily were required. Altogether those young persons had to work harder than he had known the most industrious competitors for honours at the University to do. It was a mistake, however, to suppose that those who supported the present Motion were anxious to abolish the pupil teacher system. Their contention was simply, that from evidence obtained from the London School Board, from Liverpool, from a great body of teachers throughout the country, and from numerous Inspectors, it appeared conclusively that the present system was not efficient. Without presuming to say in what particular way the system ought to be improved, they merely submitted that an inquiry would show what were the defects, and what remedy was needed.

Mr. A. MILLS observed, in justification of the tenour of the speech of the noble Lord, that there was ground for supposing the Motion to mean more than appeared on the surface, the hon. Member who brought it forward having suggested in his remarks that there ought to be something better than the pupil teacher system. As to the operation of the London School Board, in London there were one or two schools on the German system, one of which—a school of about 1,000 children, with adult masters—he had visited. It did not earn in proportion so much as other schools of the same size on the pupil teacher system. He was not entirely satisfied with pupil teachers. They had to educate themselves and qualify themselves for examination and to carry out the work of education, which was an enormous pressure on them at their time of life. The fault was not so much in the system as in the way in which it was worked, for by crowding so much into one syllabus it was made more laborious than it ought to be. What was wanted was to provide a machinery for the education of children, nine-tenths of whom would have to earn their living by mechanical labour. They were, in fact, far below the mark in what were popularly called the three R.'s, more particularly in arithmetic, whilst they were cramming and killing their pupil teachers with work which they ought not to be compelled to do; but if they were less ambitious in their syllabus, and more moderate in their requirements, the pupil-teacher system might yet be worked successfully and well.

Mr. W. E. FORSTER said, that before the House could sanction the appointment of the Committee asked for by his hon. Friend it should be satisfied that the subject was sufficiently important to justify such appointment; that the inquiry was not likely to do more harm than good by unsettling the present system, by making its administration difficult; and that there was good *primâ facie* ground for the inquiry. The importance of the subject all would acknowledge, and if the appointment of the Committee was likely to, as his noble Friend (Viscount Sandon) appeared to think it would, unsettle the present administration of education throughout the country, it was a very good reason why the Committee should not be appointed. He could not support a Motion that would have the effect of getting rid of pupil teachers and Training Colleges, because they were so completely a part of our system that it would be wrong to attempt to get rid of them. He understood that the object of the Motion was not to get rid of them, but whether they could improve both. That there were *primâ facie* grounds for inquiry was shown, he thought, by the fact that the London School Board had come to the conclusion that they could best get through their most difficult work by grouping their pupil teachers and sending the children to teachers specially trained in particular subjects. At any rate, the question was well worthy the consideration of a Committee; as also the one of how far we were overworking the pupil teachers, and whether we were injuring their health more than improving their minds. The hon. Member for Banbury (Mr. Samuelson) did not dwell as much upon the Training Colleges as upon the pupil teachers; but it must be acknowledged that the Training Colleges had done a vast amount of good, and that but for them education would not have been in its present position. But the fact remained that they did not train all the teachers. His noble Friend had rather congratulated himself and the House on the fact that there were some thousands of teachers who came into the profession from without. For his own part, however, he did not think it was an advantage in itself to have any teachers who were not trained. Much might be said in favour of taking a University training in England, as was done in Scotland, but that there must be some kind of training everybody would admit. Notwithstanding the enormously increased demand for teachers, scarcely any fresh Training Colleges had been established. These institutions were very costly, and he approved the suggestion of the hon. Member for Banbury that, in addition to the boarding Colleges, day Colleges should be founded. Training Colleges were required in order —first, that young men and women might acquire in them the secular knowledge which they would hereafter have to teach; secondly, that they might be under moral and religious superintendence; and, thirdly, that they might be well trained in the practice of teaching. In his opinion, all these advantages might be obtained at a very much less cost in large towns. He did not wish to get rid of the Training Colleges, which would still be useful, but he would suggest that in addition to them there should be erected in the large towns training halls. Pupil teachers ought at a certain age—say from 16 to 18—to be allowed to attend the lectures which would be given in these halls, and he proposed that the Education Department should acknowledge a new class of teachers, who, for distinction sake, he would call student teachers. If his suggestions were adopted the student teachers would teach in the schools, but not for so many hours as the pupil teachers. Care would also be taken that they should attend the lectures, and they would be under the control of the managers of the schools. Looking forward, as he did, to a very large increase in the number of teachers, and hoping they would all be trained, he ventured to submit this suggestion to the consideration of his noble Friend. When the attendance difficulty had been met, the next great thing would be to improve the quality of the teaching.

THE CHANCELLOR OF THE EXCHEQUER said, that before the House went to a division, he wished to state in a few words the way in which the Government looked at this Motion. It had been said by both the hon. Member for Banbury (Mr. Samuelson), and by the hon. Member for Hackney (Mr Fawcett), that this was not a Motion brought forward for the purpose of overthrowing the system of apprenticing pupil teachers, and they had asserted that his noble Friend's (Viscount Sandon's) argument in favour of that system was altogether beside the question. He must, however, remark that, if a Committee of that House were appointed to inquire into this subject, it would be guided in its inquiries not by the opinions of those who moved for it, but by the terms of the reference; and it would be seen by the first reference proposed that the Committee would enter on its labours in a much more inimical spirit to the system of apprenticeship of pupil teachers than hon. Members anticipated. The proposal was to appoint a Select Committee to inquire, not how the system might be approved, but "into the system of apprenticeship of pupil teachers in elementary schools." When a Committee proceeded to inquire into a system, it meant that the system was to be put on its defence. If, however, the Committee were to be limited to an inquiry as to the best manner of improving the system, then he replied that the Department represented by his noble Friend was charged with the particular business of seeing how the whole of this system of education worked, including the duty of watching the working of the apprenticeship of pupil teachers. It would be, therefore, a reflection on the Department to appoint a Committee to inquire into the details of a system which the Department was constantly watching and endeavouring to improve. His right hon. Friend the Member for Bradford (Mr. W. E. Forster) admitted that after the agitation which the educational mind of the country had undergone for the past few years, it was desirable that a period of repose should be granted to allow of the fair working of the system; and considering that the system was being worked under the cautious and attentive eye of his noble Friend, and that, as all admitted, it was worked in a spirit of fairness, he thought the Government were not unreasonable in asking for time for the development of the whole system, before any attempt was made to cut it up by the roots. The Government thought it would be very undesirable, in the present state of the educational question, to appoint a Committee which might lead to bringing up the whole subject again; and personally he might add that he should look with alarm upon the appointment of a new Committee now when the expenses of the Department were increasing so rapidly, because these Committees, whatever else they did, almost invariably ended in an increase of expenditure.

Mr. B. SAMUELSON, in reply, disclaimed all feeling of hostility to the Department, and expressed his opinion that the Motion which he had proposed would, if carried, result in great benefit to the country.

Question put.

The House *divided*:—Ayes 46; Noes 104: Majority 58.—(Div. List, No. 18.)

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 50.]

Mr. DUNBAR moved that the Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill do consist of 19 Members; that the Marquess of Hamilton and Mr. Richard Power be added to the Committee.

Sir MICHAEL HICKS-BEACH was not inclined to resist the Motion if the House were generally in favour of it. He believed the number on the Committee was already sufficiently large, but if the House desired to increase it, he had no objection to the names proposed.

Mr. BIGGAR objected to the Motion as wholly unnecessary, as the number of Members on the Committee was amply sufficient.

Sir WILFRID LAWSON thought the right hon. Gentleman the Chief Secretary for Ireland might have given some reasons for rejecting the Motion, and hoped the House would adopt it.

Mr. DUNBAR said, he was under the impression that no opposition would be offered to his Motion, but hoped that some hon. Members representing large towns like Waterford and Limerick would be added to the Committee.

Mr. MELDON was willing to resign his place as a Member of the Committee in favour of the hon. Member for Waterford, and hoped the Motion of his hon. Friend would be adopted.

Dr. CAMERON said, the large towns in Ireland were already represented on the Committee, and the Motion was therefore unnecessary.

Sir WILLIAM HART DYKE said, the Government were most anxious to meet the views of hon. Gentlemen opposite in the proposed increase of the number of the Committee. As a rule, no one would deny that the larger these Committees were made, the more unmanageable they became. There was, no doubt, a strong point in favour of the appointment of the hon. Member for the city of Waterford, inasmuch as that was one of the towns to which it was thought the Bill could not be made to apply. He rose, not so much to urge any particular course upon the House, as to say that his right hon. Friend accepted the proposal in a peaceful spirit, feeling that there was something to be said in favour of the addition to the Committee. It was a question for the House to decide, and he would suggest the Motion being postponed, to leave a little further time for the consideration of the subject.

Motion, by leave, *withdrawn.*

SUPREME COURT OF JUDICATURE ACT AMENDMENT [APPOINTMENT OF ADDITIONAL JUDGE, &c.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of the Salary and Pension of an additional Judge of the High Court of Justice; and, out of moneys to be provided by Parliament, of the Salaries and Pensions of any additional Officers and Expenses of the Court.

Resolution to be reported *To-morrow.*

House adjourned at a quarter after One o'clock

HOUSE OF COMMONS,

Wednesday, 28th February, 1877.

Public Bills—*Resolution* [February 27] *reported — Ordered — First Reading* — Supreme Court of Judicature* [103].

Ordered—First Reading—Homicide Law Amendment* [104]; Habitual Drunkards* [105].

Second Reading — Town Councils and Local Boards [11]; Colonial Marriages [29]; Open Spaces (Metropolis) [62].

Committee—Threshing Machines [20], *debate adjourned.*

Third Reading—Publicans Certificates (Scotland) * [87], and *passed.*

TOWN COUNCILS AND LOCAL BOARDS BILL—[BILL 11.]

(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Morley*).

SECOND READING.

Order for Second Reading read.

MR. MUNDELLA, in moving that the Bill be now read a second time, said, the object of the measure was to abolish the property qualification for members of Town Councils and Local Boards, and to substitute for it the more ancient qualification, by which any person who had been duly enrolled as a burgess of a borough, and who had resided in such borough during the 12 months immediately preceding the day of election should be duly qualified for office on these Councils or Boards. In submitting this Bill he was not proposing any innovation, but was simply going back to the old lines of the Constitution. All our writers praised our local institutions as the means by which we had maintained the principles of self-government, and had kept alive the spirit of political freedom. It was through such institutions that we had acquired the habit of submitting to the will of a majority, and had secured the large measure of freedom we now enjoyed. Sir Erskine May, in his *Constitutional History*, speaking of our local government, said the history of municipal corporations afforded an example of encroachments on popular rights; that the government of towns under the Saxons was no less popular than their other local institutions; and that the constitution of corporations, at a later period, was founded upon the same principles—namely, that all the settled inhabitants and traders of corporate towns, who contributed to the local taxes, had a voice in the management of their own municipal affairs. For some centuries after the Conquest the burgesses assembled in person for the transaction of business—they elected a mayor or other chief magistrate; but no Governing Body, or Town Council, to whom their authority was delegated. The burgesses only were known to the law; but as towns and trade increased, the more convenient practice of representation was introduced for municipal as well as for Parliamentary government. The most wealthy and influential inhabitants being chosen, gradually encroached upon the privileges of their inferior townsmen, assumed all municipal authority, and substituted self-election for the suffrages of burgesses and freemen. Corruption went on until the reform of all our Corporations in 1835. Property qualification was first proposed in the reign of William and Mary. In that reign—namely, in 1696, a Bill was brought in which proposed that an annual income of £600 from land should be the qualification required for a Member for a county, and that an annual income of £300, also in land, should be the qualification of a Member for a borough. That measure originated in the jealousy felt by the landed classes towards the rising commercial influence in the country; but William of Orange, who leant rather toward the commercial interest, refused his assent. In the following year a similar Bill was passed by the Commons, but rejected by the Lords; and it was not until the reign of Anne that the qualification was finally adopted. Sir Erskine May, referring to the operation of the Act establishing a property qualification for Members of that House said, that in its original form, the Act was invidious and unjust, and that from beginning to end it had been systematically evaded. Indeed, it was well that it was so, for some of the brightest ornaments of that House had come there without any property qualification. Somers and Sheridan did not possess the necessary qualification—and even William Pitt could not make the declaration that over and above his debts he possessed £600 a-year in land. Many Cassandra like prophets had predicted that the abolition of that qualification would be ruinous to the best interests of the country; yet, undeterred by those gloomy vaticinations, Parliament had wisely abolished it, without any evil results—and it was a Conservative Government that abolished it! The same thing would happen in regard to the present property qualifications for municipal and local offices, which he desired to see equally swept away. There were none of those qualifications before the Municipal Corporations Act of the 5th and 6th of William IV., and that

Act passed the House of Commons without any of the qualifications: they were inserted by the House of Lords at the instance of those who sought to modify the democratic constitution of Town Councils, and the House of Commons, against its will, yielded at the last moment to that alteration in the measure as a sort of compromise. Things had greatly changed since then. Not only had the property qualification for Members of that House been done away with, but the number and also the functions of our local institutions had been largely increased. In 1870, a new provincial body, School Boards, were established by the right hon. Member for Bradford (Mr. W. E. Forster) and the only qualification required — irrespective of sex—was that the person elected should be of full age: yet no public Body in this country had on the whole more ably, or with more dignity, conducted their business than had the School Boards. Under the Education Act of last Session, where no School Boards existed, their functions were confided to other local Bodies. The Artizans Dwellings Act had likewise lately been passed—a measure in the application of which the working classes were specially interested, as also in sanitary improvement generally. Purchase in the Army had been abolished—in fact, all qualifications, except those to which this Bill related, and which hindered working men from rendering good service to their country, had been taken away. To exclude men, therefore, from any share of local self-government, simply because they did not happen to be large ratepayers or to have a certain amount of property was not only injurious to the good working of local institutions, but contrary to the spirit of the Constitution. In what then did the exclusion consist? It existed through the operation of the rule providing that a member of a Town Council in a borough in which there were more than four wards must either be rated at £30 a-year, or be able to declare that he was worth £1,000 in money or money's worth. If the borough had four or fewer than four wards, he must be rated at £15 or declare that he was worth £500. Analogous restrictions existed in regard to Local Boards, according to the amount of population in the particular place or district. The effect of that system was to disqualify in the large boroughs more than 80 per cent of the burgesses, and in some cases even from 85 to 90 per cent. In his own borough—Sheffield—something like 80 to 90 per cent of the electors were thus disqualified from offering themselves to the town council. In Sheffield, however, they had one working man in the Town Council and two in the School Board, all discharging their duties to the eminent satisfaction of the community. In one town a man who was returned to the School Board by a large majority was afterwards elected to the Town Council; but, it being found that he was disqualified for the latter body, some friend put a thousand pounds' worth of notes in his pocket — thus giving him what, after all, was only a colourable qualification, but being then in possession of £1,000, he could sit. And this he was afraid was being done all over the country. Men whose standard of morality was lower than the conventional one, and who were inclined to laxity as to oaths or declarations, were not excluded by those restrictions. Again the penalty of £50 to which a man was liable every time he acted as a Town Councillor, unless he had the requisite property qualification was very harassing, and calculated to make a scrupulous man retire. But, further, many absurd anomalies and much injustice arose from the working of the present rule. For example, when a borough of four wards received any addition to their number, the amount of the property qualification required was immediately doubled; so that men who had served the borough before on a rating of £15 a-year could no longer serve—and these, perhaps, were the very men whose energy had contributed to the prosperity and enlargement of the borough. He could cite many illustrations of the effect of this, but he would content himself with one. At Hythe there were four wards; but an extra ward having been added by taking in Sandgate, a gentleman who had served the public well with a qualification of £15 rating and £500 in money, had to retire because the qualification was thus arbitrarily raised. It had been said that if this Bill passed they would lower the character of the administrative body; but surely this was a matter in which the electors were bound to take care of themselves. Nor was there any weight in the argument that the small ratepayer would be careless of expenditure, because they had no interest in checking it; on the contrary, he (Mr. Mundella) said that they were the very class who most felt the pressure of rates; and if there was a tendency to extravagance in local bodies, it came generally from the rich, who did not feel the pressure, and who often had large ideas and favoured grand schemes. His own fear rather was that the small ratepayers might be too parsimonious; although he held that it was most desirable they should receive the education derivable from taking their part in the conduct of local affairs. But the most conclusive answer to the objection that his proposal would tend to excessive expenditure was furnished by the fact that in Scotland there was no property qualification, and nothing to prevent a man, however poor, if his name was on the burgess list, from being elected Lord Provost of Edinburgh or of Glasgow. In conclusion, he appealed to the House to fall back upon the ancient lines of the Constitution, to remove an invidious distinction, to leave the electors themselves to judge who would serve them best, and to give every man, whatever might be his position, the opportunity, if he had the noble ambition, to render good service to his country.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

MR. SCLATER-BOOTH said, that no one in that House would desire to rely on a property qualification as being essential to the due conduct of the public business to which a man's fellow-citizens might appoint him. Still less would the present Government, some of the Members of which were responsible for the abolition of the property qualification of Members of Parliament, wish to stop a measure which had for its object the repeal of what might seem an antiquated or unnecessary restriction attached to the discharge of public duties. At the same time, he did not think the property qualification for Members of that House was exactly on all fours with that for members of Town Councils and Local Boards. The political element entered only in a minor degree into the business of those local Bodies, whose duty it was more exclusively to deal with the expenditure of money levied from the ratepayers of their localities. When those qualifications were established, it was doubtless thought necessary that the owners of property in a district should have some security that the expenditure of the rates which they paid should be directed by persons having some substantial interest in that expenditure. A more potent argument might have been that the small ratepayers, especially those in districts where their rates were paid for them by their landlords, would not feel the effect of extravagance in their disbursement, and might so be under the control of their landlords. But the main point which he now desired to put before the House was, that this Bill had been brought forward with very little Notice, and it remained to be seen what view was taken of it throughout the country. Very few complaints had ever been made about the present system —certainly the attention of the Government had not been called to the matter by complaints as to the exclusion of proper persons from those local Bodies from the want of a property qualification. The hon. Gentleman had referred to certain anomalies now existing, but he had also indicated that means were now found for providing a qualification for a person supposed by his neighbours to be fit to discharge those public duties. Another reason why he had a difficulty in giving his assent to the measure was that it did not deal with the Improvement Commissioners' districts—about 40 or 50 in number, and some of them very important districts of England. Even, however, if the Bill were read the second time that day without comment, it would be necessary that time should be given before it was taken in Committee, in order that it might be generally known throughout the country, and that its various points should be examined by those whose interests were at stake. If the hon. Member for Sheffield would adopt that course and fix a day after Easter for the Committee, the Government would not object to the principle of the measure. Further than that he would not commit himself.

MR. STANSFELD said, the hon. Member for Sheffield could not have expected a more favourable reception, and would advise him to accept the fair offer made to him on the part of the Government. The right hon. Gentleman who had just sat down (Mr. Sclater-Booth) seemed to have some misgivings on the subject, and intimated a doubt whether it might not be desirable to retain a property qualification for Town Councils and Local Boards, because the members of those Bodies dealt more directly and exclusively with property than did the Members of that House. But the argument really told the other way; because if this Bill passed, and if working men became members of Town Councils or Local Boards, and advocated increased expenditure, this expenditure must be met out of increased rates, and these would be felt by the working men in the shape of increased rents; so that the ultimate incidence would be both upon the poor and the rich; whereas the Members of that House, if they chose to be so unwise, could impose taxation on one class which would not affect another, and could, in fact, shift the burden from one class to another. The local Bodies could not separate classes so as to throw the burden on one. Moreover, that House would soon have to address itself to the great question of a re-organization of our system of local self-government and its relations to the Imperial Government; and then it would be found impossible to maintain qualifications for Town Councillors which were not required for Members of Parliament. They would have to enlarge both the area and the functions of local government, as well as to widen the basis of local representation. Believing that the present Bill was simply an instalment of that coming larger reform, he gave it his hearty concurrence.

Sir GEORGE CAMPBELL said, that in this matter he thought that the Government might take a good example from Scotland. There they had no property qualification, and yet there were no complaints of the working of the system. In his own burgh, not only was the law such that any voter might represent the constituency in the Municipal Council, but it was the invariable practice to have one or two working men as members of the council. That system acted extremely well—so well that he believed it would be considered in Scotland that no other system could work, and that it would be impossible to carry on the local self-government of a burgh without some members of the most numerous class being on the Council. He could also testify to this—that, so far from there being a tendency to extravagance on the part of these representatives, the contrary was the case, and they inclined to a wise economy. Therefore if the right hon. Gentleman had any lingering doubts as to the propriety of this system he hoped he would pay an early visit to Scotland, where he was sure those doubts would soon be removed.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 10th April.

COLONIAL MARRIAGES BILL—[Bill 29.]

(*Mr. Knatchbull-Hugessen, Mr. Russell Gurney Sir Thomas Chambers.*)

SECOND READING.

Order for Second Reading read.

Mr. KNATCHBULL-HUGESSEN said, that as he was not fond of making speeches merely for the sake of hearing his own voice, he would be very brief in moving the second reading of this Bill. Its object could be easily stated, so as to reach the comprehension of all who heard him. He would say at the outset that he should entirely decline to open up the long-vexed question of the marriage with a deceased wife's sister in England. At the same time his opinions upon that subject had undergone no change whatever. He thought it most sad that this free country of ours should be the only Protestant country in the world in which a civil disability was imposed upon the issue of marriages which the vast majority of Christians held to be lawful. He thought it most unfortunate for the Church of England that, upon one of the many occasions on which the House of Commons had sent up to the other House of Parliament a measure of relief from this disability, that measure should have been defeated upon its second reading by the votes of the Bishops, 14 of whom voted against it, when the majority by which it was rejected was only 4. But he cast aside all such considerations at the present moment, because it was as a colonial question that he introduced the Bill before the House, and it was a colonial grievance which it was designed to remove. In all the Australian Colonies the Legislative Bodies had passed laws legalizing marriage with a deceased wife's sister. Now, in Colonies possessing representative institutions, legislation was twofold. There was legislation which was accomplished by the Colonial Legislatures and the Governors, without reference home, and there was legislation which was reserved for the special sanction of the Crown. The Marriage Bills referred to fell within the latter category, and four of such Bills had not only been passed by the local Legislatures, but had been sent home and had received the deliberate sanction of the Queen, acting under the advice of different Ministers, belonging to each of our great political Parties. Two such Bills were awaiting similar sanction. It therefore followed that a British subject in these Colonies marrying his deceased wife's sister contracted a perfectly legal marriage, and all that was asked by the Bill was, that if his children came to reside in England, they should be subject to no disability. He (Mr. Knatchbull-Hugessen) would beg the House to mark this point especially. If a British subject, resident within these islands, married his deceased wife's sister, his children were subject to a disability, because he had contracted a marriage which was prohibited by law. But if a British subject, resident in the Colonies, did the same thing, he was contracting a marriage in every respect legal, and, therefore, his children ought not to be subject to disability. He would not—even if he were capable of doing so—inflict a long legal argument upon the House, nor was it necessary to do so. The celebrated case of Brook *v.* Brook decided that a marriage by British subjects in a foreign country contracted in accordance with the laws of that country was a void marriage in England, unless it would have been a legal marriage if contracted in England. But let the House mark the difference. Such a marriage would be one contracted under a foreign law by British subjects. But the case with which he asked the House to deal was the case of a marriage contracted under the colonial law by British subjects, that law having been expressly sanctioned by the Queen. He asked, in fact, that the Colonists should be considered as subjects of the Queen, and not as if they were subjects of a foreign Power and their land a foreign land. He begged the House not to deal with the Colonists as foreigners; for if they did so, and put them in this instance upon the footing of foreign Nations, they would create a precedent which might be quoted against us hereafter in an inconvenient manner. As far as he could learn there were four objections made to his Bill—two of which he held to be quite untenable—the third might possibly be tenable, but would be removed by a concession he was prepared to make, and only the fourth appeared to him capable of being argued. The first objection was made by those who said that the law was not doubtful. He (Mr. Knatchbull-Hugessen) would not pretend to state accurately the precise condition of the law. He thought that the balance of argument was in favour of the view that the issue of these marriages in Australia, their legality having been sanctioned by the Crown, would be legitimate in England, up to a certain point; but that they could not inherit land. But there had been conflicting legal decisions upon these points, or points akin to them; and under such circumstances, he could not see how anyone could contend that the law was not doubtful; and if doubtful, then let them clear it up in the only way consistent with right and fair treatment of the Colonies. The second objection was that this Bill would be made a stepping-stone to the passing of the Bill to legalize these marriages in England. He could only say that he had introduced the measure with no such view, and he would ask the House not to reject a measure good and right in itself, because hereafter something might be asked which some of them might not think equally good and right. They had often heard of doing evil that good might follow; but he hoped they were not prepared to act upon the converse, and refuse to do good on account of some distant possibility of evil which might ensue. The third objection was that, under this Bill, persons might go out from England and evade the law by contracting these marriages in Australia, and immediately returning home. He believed that the word "domiciled" would effectually guard against any such contingency; but if it could be shown to be necessary, he would be ready to accept an Amendment to the effect that a person should be resident for a specified time—say, one or two years—before being capable of contracting such marriage. The last objection was one which, he believed, had been mentioned by his noble Friend the Secretary of State for the Colonies, when a deputation waited upon him in connection with this subject. It was to the effect that British subjects resident in the Colonies ought not to be better off than British subjects at home. He could hardly understand that objection coming from anyone opposed to these marriages, because if a person who could legally marry his deceased wife's sister was "better off" than one who could not, the plain remedy was to enable the latter to have the same privilege. But the truth was, that they were not going by the Bill to make the Colonist better off—in that sense he was better off already—and all they would do by the Bill was to prevent his being worse off, by having to endure the infliction of a disability upon his children, when neither he nor they had done anything illegal. Why, he would ask, should the brand of illegitimacy be stamped, in the country of his ancestors, upon a man who was the issue of a perfectly legal marriage? What would be thought in the Colonies when they found that the House of Commons were determined that their legislation, sanctioned by the Crown, should continue to be entirely inoperative so far as this country was concerned? Would they not naturally look upon perseverance in such a course as striking a blow at that cordiality of union between them and the mother country which it was so desirable to maintain, especially when the colonial legislation of which he spoke had been carried by large majorities in the several Legislatures, and that even those Colonists who had opposed that legislation were anxious, now that it had been accomplished, that these disabilities should be removed. It was thought by some to be a small question; but to his mind a question which affected the legitimacy and rights of inheritance of British subjects was one of too serious a nature to be lightly treated. He (Mr. Knatchbull-Hugessen) saw with regret that his hon. Friend opposite (Mr. Beresford Hope) had given Notice of opposition to the second reading of the Bill. He would only make one remark upon that opposition. His hon. Friend had always opposed the legalizing of these marriages in England. Formerly, he did so upon Biblical grounds; but, driven from Leviticus, he had fallen back upon moral grounds, and his opposition of later years had mainly been based upon social considerations. Now, that point could not arise under the present Bill. Social questions could only be dealt with in the society in which they existed, and the social part of the matter could only affect the Colonies where these marriages would take place. He earnestly begged the House, therefore, to let the Colonies settle their own social questions; and, as they had settled this particular question by legalizing marriage with a deceased wife's sister, he asked the British House of Commons to do them a simple act of justice by passing the Bill, of which he now moved the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Knatchbull-Hugessen.*)

Mr. BERESFORD HOPE, in moving that the Bill be read a second time that day six months, said: Let me first, Sir, thank my right hon. Friend opposite (Mr. Knatchbull-Hugessen) for having, as far as his unfortunate position enables him, kept clear of the broader question of marriage with a sister-in-law. Of course it was impossible not to touch upon it here and there. Indeed, when we see his name, and the name of the right hon. the Recorder, and of the hon. and learned Member for Marylebone, on the back of the Bill, one cannot help seeing that there is a very close connection, not of affinity, but of absolute consanguinity, between the two questions. But, in following his example, I must state that although the speech of my right hon. Friend was ingenious and conciliatory, it was also singularly inconsistent. In fact, I may say that every successive statement which he made might be used as an answer to the statement which preceded it. Let me take the last of his statements. He calls upon us to look at this question with colonial eyes; and it is upon its colonial aspect that I base my opposition. Then he calls upon us to make our choice: shall we keep the Colonies loyal, friendly, and affectionate towards us by treating them as British subjects living abroad; or shall we deal with them as foreign nations? Now, it is upon these very considerations that I found my resistance to the proposed Amendments to his Bill, which my right hon. Friend incidently threw out. As to the first, it is conceded that, whatever may be the state of the law for the purposes of those Colonies, gentlemen who have allied themselves with their wives' sisters in the Colonies, will enjoy the protection of such laws as those Colonies may have passed; that, in point of fact, clearing the question of all verbiage and ambiguity, the only grievance, if grievance there be at all, is that the offspring of those alliances will not inherit property under intestacy, or settlement, nor succeed to titles in England, and will have to pay maximum legacy and succession duty. That is the grievance on the side of the Colonies—really and absolutely their only grievance. The grievance on our side is, I conceive, a much broader — a more real one: shall or shall not all or any of the Colonies have the right to force the hand of the mother country? Shall we or shall we not put the marriage laws, with all those great and delicate questions which run into moral, into social, and into legal considerations; shall we put all those questions into the power of all or any of the Colonies which happen to enjoy a responsible Government to regulate for us? Is the law to be made for England by Tasmania, or by England for England, and by Tasmania for Tasmania? All the rubbish cleared away; that is simply and absolutely the question which is before us. [MR. KNATCHBULL-HUGESSEN: Oh, oh!] My right hon. Friend says "Oh;" He can easily meet that difficulty. He can throw in a year or two of grace, of residence in the Colony, before a gentleman shall be able to marry his wife's sister. But does anyone in this House believe that an Amendment of that sort would go down in the Colonies; that they would not at once deal with it as a grievance; and that some statute would not be soon passed by the Colonial Legislature, which would create a much more difficult complication of law than that which at present exists? Then, I answer his argument with his own argument, which was—Are those colonists to be British subjects living abroad, or subjects of a foreign nation? What would more completely declare them to be foreigners, than to introduce an Amendment which declared that an Englishman, a native of England, could only ripen into an Englishman of Tasmania after an acclimatization of 12 months or two years in that island? That is what the suggestion of the right hon. Gentleman comes to, and I appeal with confidence to the House to say whether such a proposal would for one instant hold water. Looking at the question, as we must, from the English point of view, and as a practical question, it all falls flat upon taking a plain, broad, intelligible, common-sense view of the matter. This is put plainly by Mr. Herbert, speaking in the name of the Colonial Minister, in the Correspondence between the hon. and learned Member for Marylebone (Sir Thomas Chambers) and the Colonial Office on this subject. It is No. 145 of the Papers of 1876, and as it is a Parliamentary document, and runs in the name of the Colonial Minister, I will read a very short passage from it to the House. First, however, I would deviate from the strict line of my argument to thank the hon. and learned Common Serjeant, the Member for Marylebone, for the ingenuous candour with which he has put us in possession of the best and strongest argument against his own Bill that could perhaps be produced. If I, or anyone who was opposed to him, had moved for the production of that Return, it might have been thrown in our teeth that we were perpetrating a bad joke upon the hon. and learned Member; but for this Return we are indebted to the hon. and learned Common Serjeant. It is what he appeals to and looks to as his brief. It is what he brings before us as a reason why he should accept his Bill. Now, what is the statement which is signed by the Under Secretary for the Colonies, and which we owe to the kindness of the hon. and learned Common Serjeant? It says—

> "It does not appear to Lord Carnarvon that there is any doubt with respect to the law on the subject, though it may be expected that questions of domicile will from time to time arise in connection with marriages of this nature celebrated in Colonies where they are legal. On the other hand, it appears to his Lordship that the proposed Act would have the effect of giving validity in the United Kingdom to marriages of this description entered into by residents of the United Kingdom, who have simply made a trip to the Colony for the purpose of procuring celebration of the marriage, thereby evading the law of this country."

I hope that every word of that statement will be endorsed by the decision of the House to-day. Then he says—

> "I am, therefore, to state that such a consideration would, in his Lordship's opinion, effectually prevent the Secretary of State for the Colonies giving any sanction and support to such a measure as you propose."

Well, I ask my right hon. Friend whether he is prepared to see stuck up at the office in Ludgate Circus—"Messrs. Cooke & Sons' Marriage Journeys to Australia; 10 per cent reduction. Messrs. Cooke & Sons provide fathers, and make all the necessary arrangements?" Is that what he wishes us to come to? Let me just take the case of a couple that have committed an alliance of this sort. The couple have taken a trip to Australia under the patronage of my right hon. Friend and the Common Serjeant. They have gone to the Antipodes, and the return trip may stand for the honeymoon. They go into society and say that they are as good as anybody else, and, perhaps, rather better. They have been married according to law in the Colony, and under the protection of my right hon. Friend's Bill. Well, they attempt to go into society, and what is their position there? No doubt, in some quarters they would be received with all the honours of martyrs; elsewhere, they would be regarded as persons who, for the purpose of contracting a marriage which is not legal in this country, had evaded the law of the mother country by undertaking the expense and trouble of a long voyage; whilst other persons, desirous of contracting the identical marriage, were unable to do so, because their business, or their want of the means, obliged them to remain in the United Kingdom. Is that, I ask, a pleasant position for a high-minded man or a pure-minded woman to stand in? But that is what your proposed measure would lead to. I will take another case, and suppose two brothers, who are successively in remainder to some property or some title. Each of these brothers has become a childless widower, and each feels that the vacant chair at his desolate hearth might be best filled by his sister-in-law. The elder brother is poor and unable to afford the expense of a voyage to the Colonies. He goes through the marriage ceremony, say, in England or in Denmark, with his sister-in-law. The younger brother, more adventurous or more wealthy, makes his voyage to Australia, and after the due interval of time brings back his blushing sister-in-law decorated with his surname from the southern hemisphere. Now the question of property comes in. A son is born to each. The son of the elder brother and of the elder brother's sister-in-law is illegitimate, because his parents clung to Europe. The son of the younger brother and the younger brother's sister-in-law inherits the estate, or the title, because his parents took that pleasant voyage to Australia. Is that a state of things which anybody would like to see existing in England? Yet, that is another result to which this proposal of your's would lead you. I desire to deal fairly with the question on all sides. The grievance of the clients of the right hon. Gentleman and the hon. and learned Common Serjeant is one which only affects a very limited number of persons. All men do not become widowers. It is not every one who is left a widower that desires to call his sister-in-law his second wife. It is not everyone who is possessed with such a desire and who also possesses an eligible and possible sister-in-law. The number of persons so situated is limited; while they know that they can gratify their wishes and contract this marriage in the Australian Colonies, subject to the offspring of such a union not inheriting property in England, unless it be bequeathed to them by will, and subject to a contribution of 10 per cent to the public revenues of the country, but that they can inherit any property in Australia. On the most favourable footing, this is all the grievance which is put forward in support of a measure which would enable the small body of persons to whom I have referred to circumvent that which I hope and trust, and believe, will long continue, aye and ever continue, to be the law and custom of England; which would enable the man who desires to break that law to make that person his wife whom the law and custom of England declare shall not be his wife. By this Bill you enable a man, at the small expense of a journey to Australia and back, if he can afford it, and possibly of a residence of 12 months or two years in one of the colonies, to marry and bring back that person as his wife. What is this but to confound all ideas of right and wrong; to defeat the laws of succession and inheritance, and to commit an outrage on the social feelings of the country, just because the man has a longer purse and some more leisure than the small residuum of persons remaining in England who might wish to do the same thing, but are wanting in the material means of giving effect to their desires? This, Sir, is the light in which I feel compelled to regard this Bill. You may argue as you like. You may tell me that the Crown has given its assent to these Australian Bills; but the Crown has, with its eyes open, only done it for Australia alone, and upon Australian considerations, not for England. To say, therefore, that because the Crown has done it for Australia, it is bound to do it for everywhere else, seems to me to lead you to a conclusion which has no pre-existing premises. On these grounds, Sir, I beg to move the rejection of the measure.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

MR. YOUNG said, that, having in his younger years resided in the Australian Colonies, he was in a position to state that they took a deep interest in this question. Probably very few marriages of this kind would be contracted in the Colonies; but, at the same time, these marriages had been made legal by a law which had received the sanction of the English Crown; and to refuse to give full effect to them would not only be an insult to the Colonies, but would lead the people who had contracted them to think that they had been entrapped into doing so. Whatever any hon. Member might think of these marriages, they must admit uncertainty in marriage was a most serious evil, and he hoped that the House would by passing this Bill prevent an evil of this kind arising in the Colonies.

MR. FORSYTH said, that reason and justice alike compelled him to support the second reading of the Bill. If the question before the House was to legalize marriage in this country with a deceased wife's sister, he should vote against the proposal, though simply on the ground of social expediency, because, in his opinion, every other objection to it failed. He did not think such a measure opposed to either religion or morality, but he thought that the weight of opinion in this country was against it. He should, however, support this measure, because it would remedy a great wrong. Why should English Colonists in this Kingdom be in a worse position than they were in their own country? Was it not the interest of England to knit together in every way the bonds that united the Colonies to her? Was it not contrary to sound policy to tell the Colonist who brought over here his lawful wife and children, that those children were, as regarded the right of inheritance in England, illegitimate? There were several anomalies already in the marriage law of England and Scotland. The Common Law of Scotland was founded on the Civil Law of Rome. In Scotland a subsequent marriage legitimized children previously born; but the English law regarded as illegitimate children who were born before wedlock in Scotland, and legitimized in that country by the subsequent marriage of their parents. In a well-known case in which this point was raised, Lord Brougham said—

> "In truth, legitimate son means lawful son; and the rule of inheritance is that the eldest lawful son should succeed to the father, but 'lawful' or not depends upon the law which is to govern; and no other definition can be given of what is lawful than this—that he is the lawful son whom the law declares to be such. What law? There are two, it is said, in this case—the law of the place of the party's birth and of his parents' marriage, and the law of the place where the land lies. Then which of these two laws shall prevail? The whole inclination of every one's mind must be towards that law which prevails where each person is born and where his parents were married, supposing the countries to be one and the same; and, if they differ, I should then say certainly the law of the birthplace. Nor can anything be more inconvenient or more inconsistent with principle than the inevitable consequence of taking the *lex loci rei sitæ* for the rule; because this makes a man legitimate or illegitimate according to the place where his property lies or rights come in question—legitimate when he sues for distribution of personal estate, a bastard when he sues for succession to real; nay, legitimate in one country where part of his land may lie, and a bastard in some other where he has the residue."

Lord Brougham went on to say—

> "One should say that nothing can be more pregnant with inconvenience; nay, that nothing can lead to consequences more strange in statement than a doctrine which sets out with

assuming legitimacy to be not a personal *status*, but a relation to the several countries in which rights are claimed, and, indeed, to the nature of different rights. That a man may be bastard in one country and legitimate in another seems of itself a strong position to affirm, but more staggering when it is followed up by this other —that in one and the same country he is to be regarded as bastard when he comes into one Court to claim an estate in land, and legitimate when he resorts to another to obtain personal succession; nay, that the same Court of Equity (when the real estate happens to be impressed with a trust) must view him as both bastard and legitimate in respect of a succession to the same intestate."

Another anomaly occurred in the case of a man who, having been married in England, was divorced in Scotland, and on his subsequently re-marrying in England was actually indicted for bigamy and convicted. Thus there was a most painful conflict of laws between the two countries, and it would be much better to assimilate the laws than to keep up such offensive contrasts. If this Bill were passed it would not enable a man, as had been alleged, to evade the marriage law of England by taking a tourist's ticket to one of the Colonies, because the Bill applied only to persons who were domiciled there, and who had gone there *animo manendi.* If a man married his wife's sister in Australia, the son of that marriage could not inherit his grandfather's property in this country. With regard to the case of the two brothers put by his hon. Friend the Member for Cambridge University (Mr. Beresford Hope) the one who married his wife's sister in England, did so with his eyes open: he knew that in law it was no marriage, and that his children would be bastards. The House would be putting a great affront upon the Colonies if it refused them the relief which this Bill would afford. It was a hard thing for a respectable Colonists who came to this country with his wife and children to find that his wife could transmit no right of inheritance in England and that his children were here to be treated as bastards.

Earl PERCY said, they had been told, in answer to the argument that, if this Bill passed, persons might take a trip to the Colonies in order to get married, that the marriages to be legalized by this Bill were those only of persons who were domiciled in a Colony. This opened a fresh field of litigation, for the Courts of Law would be perpetually called upon to decide whether the parties who had contracted these marriages had gone out to the Colony with an *animus manendi*, or merely for the purpose of contracting these marriages. The law of Scotland as regarded children born before marriage had existed for centuries, and it had not led practically to any serious inconvenience. If, however, that question were raised the arguments for assimilating the law of Scotland to that of England would be at least as weighty as those on the other side. The Colonies had passed Acts legalizing these marriages, and these Acts had received the assent of Her Majesty: and because that had been done they were now asked to change their own law in order to put themselves right with the Colonies. He wanted to know how far that argument was to be carried? Were they prepared to accept the views of the colonists on all matters in which the Colonial Legislatures came into contact with the Imperial Legislature? If that were to be the rule, he could hardly understand how we could be said to be independent of the Colonies at all—it would be for the Colonies to dictate the laws which they were to pass. These marriages were objected to on moral, social, and religious grounds, and they were asked to change their conduct on a moral, social, and religious question in order to suit the Colonies. If this Bill were passed, a rich man would be enabled to contract a marriage legally with his deceased wife's sister, whereas a poor man could not do so. Legislation of this kind would be introducing the thin end of the wedge. If marriage with a deceased wife's sister were right and lawful let them pass a measure making it legal; but if not let them resist by every means in their power any modification of the law by any indirect method of dealing with the question.

Mr. ROEBUCK said, that many years ago it was his fate to make a speech in that House which had frequently since been re-called to his memory by those who had taken part in these discussions—for it was a speech opposing any change in the law of England in respect of marriage with a deceased wife's sister. He did so upon grounds which he then stated, and which had nothing whatever to do with the Mosaic Law. But the question now before the House was a totally distinct one, and must be tested by different principles. Many of the Colonies of England possessing the right of self-government had determined that by their law that should be legal which was illegal here. He was told that we should not treat these people otherwise than as Englishmen, and that the law made for us in England ought to be the law in the Colonies. That, however, was not the rule either of law or morality. He would take a very extraordinary instance. We had large Indian possessions. By the law of Hindustan, a Hindoo might marry his sister. A potentate in India, subject to our rule, married his sister. The union resulted in the birth of a son and heir, who was acknowledged by the people of England as represented by their Government, and who was allowed to reign over millions of people. This was a great anomaly, which he put against the anomalies that had been pointed out by several speakers in the course of this debate. He had often been told that there had been repeated legal decisions that the rule of foreign countries respecting marriage should not be the rule here. That was not the opinion of Lord Stowell. Lord Stowell laid it down in a celebrated case that the law of the country in which the marriage was contracted should prevail. There was the case of Lord Pembroke. Lord Pembroke had married a Sicilian Princess, and Lord Stowell held the marriage to be valid in England on the ground that it was valid in Sicily. Contrary decisions had, however, been given, and Sir Cresswell Cresswell had distinctly laid it down that the law was opposite to that which he had just indicated. A settlement of the law was therefore desired, and why should it not be such a settlement as the Colonists asked for? In the fervid imagination of hon. Gentlemen opposite, the result would be that English persons desiring to contract these marriages might go to Australia for that purpose. But under the Bill no such marriages would be recognized here unless the parties had been domiciled in Australia at the time of their marriages there. What mischief, then, would arise to religion or morals in England from legitimizing here the offspring of those marriages for purposes of inheritance? Take a case:—A man went to Australia —there married the sister of his deceased wife—children were born of the marriage—they would come in time to man's estate—a relation might die intestate. What mischief would arise from the children being allowed to succeed as heirs? He challenged hon. Gentlemen to point out a single instance of such mischief. On the other hand, the mischief which would occur from not making this concession was very great. The people who had gone out from among us and formed great Colonies were people whom we should not only not wish to alienate but to conciliate and bind to ourselves by all reasonable ties. Why, then, oppose their wishes in this instance from the petty considerations which had been urged on the other side? Looking at the question as statesmen governing a great country and wielding a great power, were they doing right by the people of England in denying what the Colonists desired? He asked the House and the Government to act on this question like statesmen—like men who governed great nations—not like bigots or narrow-minded men bound by prejudices sucked in with their mother's milk or derived from their nurses.

THE ATTORNEY GENERAL thought it an inconvenient mode of argument to imply that those who differed from you were narrow-minded men or bigots. If the question now before the House were as to whether the law should be altered, and a man should be permitted to marry his deceased wife's sister, he, speaking for himself, might not be prepared to oppose such a measure. But the law of England being what it was—the law of Ireland and Scotland being what they were—he did not think the measure now under discussion was one which should receive the sanction of Parliament. It had been said that we should be doing an injustice to the Colonists—that we should be alienating them, and giving them just ground of complaint—if we did not permit the Bill to pass. How so? What reason had the Colonists to complain if they were allowed to make in their own Colonies their own laws, even though the laws which they made were in conflict with the law of England? Suppose the law of a Colony were—probably in some Colonies it was —that real property, instead of descending to the eldest son, should descend upon intestacy to all the children equally. Could it be made a ground of complaint that when the children of such Colonists returned to England they found that land descended here according to the English law, and not according to the Colonial Law? There was a conflict between the laws of all countries, and no greater hardship was suffered by Colonists in such a case as this than by inhabitants of a foreign State with whose law our own conflicted. What, then, was the state of the law in regard to this matter? According to the English law, a man domiciled in this country could not contract a valid marriage with his deceased wife's sister, either here or elsewhere—such a marriage, whether contracted in England or elsewhere, was wholly null and void. The law of Scotland was more stringent still. Such a marriage in that country was not only void because illegal, but was a crime, and a man contracting the marriage might be subjected to severe penalties—formerly, if not now, to death. With respect to a marriage solemnized between a man and the sister of his deceased wife in a Colony where these marriages were legal the marriage was valid; and if the parties were domiciled there, it was also recognized as a valid marriage in England, the sole disability which the issue of such marriage were under being that they were not capable of inheriting real property here in cases of intestacy. But he must go a little further. If a man not domiciled in a Colony—and the domicile was a most important element in this question—married the sister of his deceased wife in that Colony, the marriage—although according to the law of the Colony it was perfectly good, and was recognized as valid whilst the man and his wife remained there—was not so recognized in England; but, on the contrary, was considered an invalid marriage altogether. That being so, the question arose—should the House pass such a measure on the question as the Bill which was now under discussion? The measure only proposed to deal with marriages between persons who had acquired a domicile in the Colony, and it did not propose to make valid here marriages contracted in the Colony when the parties were not domiciled there. Would not such a measure introduce greater confusion in the law than existed before? Two brothers might marry in the Colony, one domiciled and the other not domiciled there. Both marriages would be recognized as valid, and the children as legitimate in the Colony; but if the Bill passed, the issue of one marriage would be able to inherit landed property in England, whereas the issue of the other would be illegitimate and excluded. Again, a distinction would arise under the Bill between marriages contracted between domiciled parties in the Colony and similar marriages contracted in a foreign country. Great confusion would thus be created in the law, which alone would be a ground for objecting to the Bill. Besides, by passing it, the Imperial Legislature would be giving their sanction to a Colonial law which was directly antagonistic to the English law, and would in effect say not only that the Colonists had a right to make laws for themselves, but that those laws were much better than the laws of the United Kingdom. If this step were taken in the case of a Colony, why not in the case of Scotland? In Scotland a man might legitimize children *per subsequens matrimonium*. These children might inherit land in Scotland, but they could not do so in England. In short, they were in exactly the same position as the children of a man domiciled in the Colony and marrying his deceased wife's sister. Why distinguish in this respect between the Scotch, who were at our doors, and the people of Tasmania? Again, the Bill would inflict an injustice upon persons who in this country might have succeeded to land through the illegitimacy of the issue of these marriages in the Colony; because it was proposed to make the law retrospective, applying to "the issue of all such marriages as have been or shall hereafter be contracted;" and thus by an *ex post facto* statute a man might be deprived of property to which he had succeeded in the ordinary process of law. For these reasons, and for many others which might be adduced, he should certainly oppose the second reading of the Bill.

Sir HENRY JAMES wished that his hon. and learned Friend had stated any additional reasons he might have for objecting to the Bill, because the reasons he had assigned were certainly not convincing, and at present there was no guarantee that the reasons he withheld were of any greater force. The House must feel that the discussion was swayed not so much by reference to the Bill as by the general consideration whether marriage should be allowed with a deceased wife's sister. He conceded that those who were opposed to such a marriage being legalized by the law which regulated marriage in England might be right, and perhaps, might be successful in their opposition; but that was not the question to be determined to-day. Accepting the Attorney General's statement of the law —though he was not quite so confident on this point as his hon. and learned Friend—he asked why, now that marriages of this kind were valid according to the colonial law, the issue of such marriages should have put upon them the badge of illegitimacy with regard to the taking of lands alone? Why was it not to affect the issue of such marriages in any other respect? Why were the issue of marriage of that kind alone to bear this mark of disgrace? It had been said that we were allowing Tasmania to give the law to England. The answer was that we had given the law to Tasmania. The Colonists had submitted this law to the Crown, which had sanctioned it. He was not contending that if a marriage were incestuous we ought to accept it because it had been made valid in a Colony; but here there was nothing immoral in such a marriage; and, the Crown having sanctioned it, how could we say to the Colonists—"You have power to make your own laws; this is a proper law: but when your children return to England, expecting to hold land, we will not give effect to your law, and your children shall be treated in this respect as though they were illegitimate?" Something had been said as to the possible evasion of the law by English people which the Bill would encourage. But the restriction as to domicile was put into the Bill for the purpose of preventing any evasion of the English law. The parties must be "domiciled,"—that was, according to Vattel's definition, there must be a residence fixed and certain, with the intention of "always" remaining; or, according to the better and more accurate definition of the American Judges, there must be an intention to remain "for an unlimited time." The Attorney General asked why Scotland was not to have the benefit of a similar provision? Now, he protested against this mode of argument. If there were anomalies in our law, it was no reason to say—"You shall not correct one anomaly unless you correct all." Moreover, when Scotland came into the Union, her laws—including the law relating to legitimacy, which had been taken from the Civil Law—were accepted by us, but we never ratified them. In the present case, however, we had sanctioned a law to our Colonies on the ground that it was good and just; and to say that we should commence with alterations in the law of Scotland so as to make it more in accord with the law of England before we altered the position of the Colonists, was an argument which he had scarcely expected to hear from the Attorney General of England. When the question arose in regard to Scotland, let it be discussed on its own merits. Then his hon. and learned Friend the Attorney General said that persons already in possession of property might be disinherited under the Bill. Such a case was a peculiar one, and could scarcely occur. But if it were needful to alter the Bill in this respect, the Attorney General might easily propose in Committee that the Bill should not apply where a person was already in possession of land in this country. Such an Amendment would be fairly considered in Committee, and did not furnish any good reason why, upon a broad question of principle, there should be a denial of justice, and why the children of these marriages, who were legitimate for all other purposes in this country should be illegitimate for inheriting land.

MR. HUBBARD said, he should like some hon. Member to assure him, if it were possible, that this measure was promoted mainly at the desire of Colonists. For his own part, he believed that it was supported and urged by the same individuals who year after year agitated for an alteration of the marriage law in this country with regard to a deceased wife's sister. The laws of this country were founded upon religion, enlightenment, and civilization; and he did not think that we ought to consider either the laws of foreign lands or the laws of the Colonies with a view to changing our own. He contended that uncertainty would be produced by the word "domicile" in the Bill, which might give opportunities for evading the English law. According to the marriage law of England "domicile" meant 15 days' residence; and there was no definition as to what was meant in the Colonies. If, however, the Bill referred only to persons whose residence in the Colony was fixed and determined, he was at a loss to understand from what practical grievance they suffered. However this might be, in considering what laws it was right to adopt in the Imperial Parliament, they were not bound to consider the laws passed in other countries, but should be guided by the wisdom of our ancestors and the interests and welfare of our own citizens. When, too, the hon. and learned Gentleman said "we" had given this law to the Colony, to whom did this word refer? To the Imperial Parliament? Certainly not;—it applied to the Law Advisers of the Crown at the moment the law was brought under their consideration; but the Law Officers of the Crown had been known to be mistaken in their law in more cases than one. It was possible there might be reasons—though he did not know what they were —which justified or extenuated a change in the Colonial law of marriage. Let the House of Commons divest itself of subserviency the authority of the Law Officers of the Crown in this instance, and deal with the question as one arising independently before them. From this point of view, it seemed to him that the sanction of the Bill would be to create evils infinitely greater than those which it would prevent.

Mr. Serjeant SIMON said, the right hon. Gentleman who had just spoken said that the laws of England were founded on civilization, enlightenment, and religion; but Her Majesty had given her sanction to various colonial measures on this subject; and was he to be told that in so doing Her Majesty had given her sanction to what was contrary to civilization, enlightenment, and religion? The right hon. Gentleman said that the Colonies had not demanded this Bill; but he (Mr. Serjeant Simon) would remind him that last year a very large deputation, representing, he believed, all the Australian Colonies, waited upon the Secretary of State for the Colonies, and asked him to give his support to the measure now proposed. The measure, therefore, had been asked for by the Colonies; and asked for in a most emphatic way. There were many anomalies in regard to the marriage laws as between the Colonies and the mother country. The Colony with which he had been connected (Jamaica) had legitimatized by marriage of the parents children born out of wedlock. If these were religious marriages in the Colonies, he would ask why they should not also be recognized as religious here? The hon. and learned Attorney General had said that they were good for all purposes save the single one of inheritance. If they were good marriages for all other purposes, why should they not also be good for the purposes of inheritance? It was because of the uncertainty in the law as it stood that the Bill had been introduced. He should like to ask the Attorney General whether, if these marriages were good for every purpose but that of inheritance, a man would be indictable for bigamy who, having already contracted marriage with a deceased wife's sister in Australia, contracted another here, his wife being alive. If the man would be amenable to the criminal law it would be because his first marriage was good; and in his opinion the marriage, if held to be good for that purpose, would be good for all others, including inheritance. If it was not a good marriage in view of the criminal law, what was to be said for the morality of such a state of things? A man might contract a marriage in a Colony, then abandon his wife and marry here another woman, both marriages being equally lawful in the respective countries, but not in both at the same time. The marriage in England would not be lawful in the Colony, and the marriage in the Colony would not be lawful here. Surely such a state of things was not creditable. He protested that those who opposed the Bill were invoking a law of the Middle Ages into this nineteenth century, and were inflicting a great injury on the public morals. It was of the utmost importance to preserve the loyalty of the Colonies towards the mother country; but they could not expect to maintain that loyalty if they did not give to the Colonists when in the mother country the same rights which they possessed in their own homes abroad.

Mr. H. B. SAMUELSON maintained that the Attorney General had taken up an untenable position in opposing the present Bill; when, at the same time, he admitted he was open to conviction on the general question of marriage with a deceased wife's sister. The Attorney General had asked why they touched only the fringe of the matter—why they did not deal with the general question? He would reply that it was because they thought half a loaf was better than no bread. It seemed to him an extraordinary thing that when Her Majesty with the consent of her Advisers had sanctioned these marriages in the Colonies they should be stigmatized here as irreligious and immoral. He supported the Bill because he believed the Colonies would have reason to feel themselves slighted if the children of marriages which had already been legalized amongst them were in this country to be regarded as illegitimate.

MR. MARTEN said, he should oppose the Bill. They were not accustomed in that House to hear the argument that the acts of the Crown ought to be binding upon them as free Englishmen in regard to what they did in the House; and yet it had been argued by the hon. Gentlemen opposite, that because the Crown had sanctioned the Acts of Colonial Legislatures legalizing these marriages, the mother country was bound to adopt them for itself. It seemed to him that the answer to that was obvious. We had given to the Colonies an independent existence as regarded their internal affairs, and the only control we retained over them was the control supposed to be necessary to keep them as part of the Empire. It surely then would be a most monstrous thing to suppose that the Crown when called upon to exercise the function of veto should decline to sanction any particular measure because the view taken by the Colony was not in accordance with the particular view entertained at home. The sanction which Her Majesty had given to these Acts was of a local character—she was acting as part of the local constitution in sanctioning a local measure. It seemed to him that the argument which had been adduced on the other hand entirely ignored the principle on which legislative independence had been given to the Colonies. If the Colonies made even greater alteration in their marriage law, was the British Parliament bound to adopt them? Further, suppose Parliament were to legalize marriage with a deceased wife's sister—what guarantee had they that they would not be asked to adopt the Scotch law of legitimacy, in order to make the law at home adaptable to the law of the Colonies? It was said that the Colonists suffered a wrong in this matter, because the issue of a marriage of this description, though legitimate for all purposes in the Colonies, were not capable of inheriting landed estate in England. But it had been decided some time ago by the House of Lords that a person who was legitimate in Scotland, but not legitimate according to the law of England, could not succeed to real estate in this country;—therefore the Colonists suffered under no special grievance. The most troublesome questions that arose in our law were those which were connected with domicile, and if this Bill were to pass the most difficult questions would arise in connection with it. A man might marry in succession two sisters of a deceased wife, and the children of the one where a domicile was established might be legitimate, while the children of the other where there was no such domicile might be illegitimate. The greatest anomalies might arise under the Bill, and he hoped the House would reject it.

MR. OSBORNE MORGAN supported the second reading of the Bill, the subject of which lay within the smallest possible compass. To a great extent the Bill was merely declaratory—it did not say what the law ought to be, but merely declared what it was—namely, that marriages validly entered into in Australia should be good and valid here. And it had been decided by the House of Lords that a marriage within the prohibited degrees in England, but not within the prohibited degrees in Australia, if contracted in the latter place, would be perfectly valid for every purpose, with one exception—the inheritance of land. That would appear from the following extracts from the judgment in the House of Lords in the case of "Brooke *v.* Brooke":—

> "The forms of entering into the marriage contract are regulated by the *lex loci contractus* the essentials depend on the *lex domicilii.* If the latter are contrary to the law of the domicile, the marriage (though duly solemnized elsewhere) is void. . . . Lord Lyndhurst's Act affects all domiciled British subjects residing abroad for transient purposes. But it does not

affect them when actually domiciled in British Colonies acquired by conquest where a different law prevails."

Unless this were the law, many absurdities and anomalies would arise. For instance, an Englishman domiciled in Australia, and having married there his deceased wife's sister and having issue by her, might return to England, and might then invest £1,000 in the funds, and another £1,000 in the purchase of freehold land. At his death, intestate, his son by the second marriage would be legitimate as to the funded property but a bastard as to the land. A similar anomaly arose from the state of the Scotch law already referred to. But this was a reason for altering the Scotch law, not for opposing the present Bill; except, perhaps, on the principle that two wrongs made a right. Both these anomalies ought to be removed, and the law so altered, that a marriage good for some purposes should be good for all.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that the Bill partook somewhat of the nature of a pilot balloon, inasmuch as although nominally dealing with a small question it, in reality, heralded a much larger one. There would not have been so many speakers or so much interest displayed in the debate as there had been if hon. Gentlemen had not been thinking of another measure. From the beginning to the end of the discussion there had not been a single suggestion of any practical inconvenience in connection with this subject having occurred in the history of the Australian Colonies, so that, as far as the question actually before the House went, the point was purely one of theory and suggestion, and not a question that could be called practical. That was a circumstance of great importance, because he would again remind the House that of all the speakers who had taken part in the debate, and who had spoken in its favour, none of them had pretended that it was actually required to remedy any existing inconvenience. That was really a very important consideration when they were asked to pass a measure which, while apparently having a very narrow, would, as a precedent, in reality, have a very wide operation. Was it usual, he would ask, to find that those who emigrated to Australia left behind them large rights in succession in land? That was contrary to all experience; and therefore he thought it clear that the desire for legislation did not originate in the Colonies, but far nearer home. That suspicion was heightened by the circumstance that although much had been said in the debate about marriage with a deceased wife's sister there was not a single allusion in the Bill to such a lady as the deceased wife's sister. He would himself express no opinion upon the larger question, although he should be perfectly ready to deal with it when it arose legitimately. He should at present confine himself entirely to the merits of the Bill before the House. He objected, in the first place, to the retrospective character of the measure. He ventured to think that if its operation had been purely prospective, it would never have been introduced. It had been brought in, not only because it was retrospective, but because it was sweepingly and searchingly retrospective. To what extent did it go? He asserted that by it a marriage between an Australian Colonist and his deceased wife's sister 60 years ago would be legalized. It would, therefore, legalize marriages which were illegal at the time of their celebration, and he therefore ventured to suggest that the Bill was intended far more to legalize past marriages than those which might hereafter be contracted. If, therefore, the Bill was enacted in its present form, a person might come over from Australia, and on the ground that he had been legitimatized by this Act successfully claim that which was now in the possession of, and the property of, other people. That was sufficient to move the House to hesitate to assent to a Bill so likely to lead to the disturbance of property and the unsettlement of titles. The measure might even disturb the succession of titles to Peerages and high dignities, provided that it should turn out that a half-forgotten relative or even an uncle had many years ago contracted a marriage in Australia which would be legalized, and the issue of which would be legitimatized by this Bill. He, however, ventured to think that it would be a great scandal if the actual holder of a Peerage were dispossessed by a claimant whose right had accrued under such circumstances. Another objection he had to the Bill was that it would create one law for those who had remained at home and another for those who had emigrated to Australia, and it would make the enactment all in favour of those who emigrated. He denied that the law was at present doubtful as the Preamble asserted; and if there were no doubts, where was the justification for bringing it in? There was no wish to invalidate the colonial law; and all that he and those who thought with him desired was to prevent those laws from receiving a development which they did not now possess. There was no wish to restrict the freedom of legislation in the Colonies; but, at the same time, he thought it would be most objectionable to permit the Colonies virtually to dictate the legislation and the policy of England.

MR. KNATCHBULL-HUGESSEN said, that he would say a few words in reply, out of respect to the hon. Gentlemen who had opposed his Bill. He would first, however, ask the House to consider the difference between himself and his opponents. He (Mr. Knatchbull-Hugessen) introduced the Bill as one embodying a great principle—the removal of a colonial grievance. His opponents met him, he would not say by quibbles, but by raising a number of points infinitesimally small, and supposing a number of cases in which persons, in almost impossible circumstances, might possibly be aggrieved by the proposed alteration. Almost every point that had been raised might be easily settled in Committee. For instance, there was the objection just raised by the Attorney General for Ireland that persons who had inherited and held land for years, might be damnified by the Bill. This objection, however, had previously been made by the Attorney General for England, and answered by the hon. and learned Gentleman the Member for Taunton (Sir Henry James), who had suggested a proviso protecting such persons, which he (Mr. Knatchbull-Hugessen) was perfectly ready to accept. Then, said the hon. and learned Gentleman, there had no case arisen of colonial grievance yet. Well, in the Colonies as in England, the birth and rearing of children was a matter of time, and as the earliest of these Acts only received the Royal sanction in 1871, there had scarcely been time for a question of inheritance here to have arisen. What the advocates of the Bill wished was to prevent such grievance by timely legislation. The right hon. Gentleman the Member for the City of London (Mr. J. G. Hubbard) had denied that the Bill was demanded by the Colonists, and had declared that those who desired it were the advocates of the English Bill. Why, of course, those who were opposed to the restriction in England were opposed to its being also imposed upon Colonists who had contracted these marriages legally; but he (Mr. Knatchbull-Hugessen) had probably had greater opportunities than the right hon. Gentleman of ascertaining Colonial feeling on this question, and he took upon himself to say that there was a real demand and desire for this measure. The right hon. Gentleman had made use of another argument which much surprised him, coming as it did from one belonging to a Party which loved to call itself "Constitutional." He had impressed upon the House that we should deal with this Bill as we pleased, according to our own views, and should "put away the idea of being bound by the authority of the Crown." He (Mr. Knatchbull-Hugessen) belonged to a Party which, without calling itself Constitutional, adhered to and valued the true principles of the Constitution; and when the Crown, under the advice of responsible advisers, gave a deliberate and solemn sanction to a Colonial measure, he, for one, attached great importance to such an act. The hon. Gentleman the Member for Cambridge University (Mr. Beresford Hope) had thought fit to joke upon the question, and had suggested that persons would take trips under the auspices of Mr. Cooke for the performance of these marriages. No one was more fond of a joke than his hon. Friend, and no one more highly appreciated his own jokes, for his hon. Friend usually himself led the laugh with which they were received by the House. In his opinion, however, this was not the subject for a joke, but a matter with which the House should deal seriously. The Attorney General for Ireland had begun by saying that this Bill was properly an appendage of the English Deceased Wife's Sister Bill, and had ended by saying that it could only be considered upon its independent merits. In such a manner it had been discussed, and with regard to the domicile question which had been so much spoken of, he repeated that he was ready to show his own *bona fides* in the matter by consenting in Committee to a fixed term of residence being inserted, which should secure the Bill's being what he wished it to be—a measure of relief, and not one to allow evasion of the law. His noble Friend the Member for North Northumberland (Earl Percy), speaking with his usual force, had urged the House not to "allow the Colonists to dictate to us." British Parliaments had heard similar language in past times, and from the use of such language and the adoption of the policy recommended by it, disastrous consequences had ensued. He appealed to those who valued, as he did, the Colonial Empire of this country, and who prized the continuance of good feeling between our Colonists and ourselves, not to listen to such appeals as those of the noble Lord, but to show their respect for the feelings and just wishes of the Colonists by giving a second reading to the Bill before them.

Mr. CHARLES LEWIS said, the two questions of the law of this country and of the relief to be afforded by this Bill were quite distinct; and he thought the House ought to look at the Bill from the Colonists' point of view. It was not right or human that a Colonist who conducted himself well as a British citizen, because he chose to marry in accordance with the law of the Colony, should have himself and his children exposed to the indignity and wrong which the present state of our law would inflict upon him.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 192; Noes 141: Majority 51.

AYES.

Adam, rt. hon. W. P.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir W.
Ashbury, J. L.
Ashley, hon. E. M.
Backhouse, E.
Barclay, A. C.
Bass, A.
Baxter, rt. hon. W. E.
Beaumont, Major F.
Beaumont, W. B.
Biddulph, M.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Brady, J.
Briggs, W. E.
Bright, J.
Brogden, A.
Brooks, M.
Brown, A. H.
Brown, J. C.
Burt, T.
Cameron, C.
Campbell-Bannerman, H.
Cave, T.
Cavendish, Lord F. C.
Cawley, C. E.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Chaplin, H.
Childers, rt. hon. H.
Clarke, J. C.
Clifton, T. H.
Clive, G.
Colebrooke, Sir T. E.
Collins, E.
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Cotton, rt. hn. W. J. R.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Cross, J. K.
Deedes, W.
Denison, C. B.
Denison, W. B.
Dickson, Major A. G.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Dundas, J. C.
Edwards, H.
Egerton, hon. A. F.
Egerton, Adm. hon. F.
Ennis, N.
Evans, T. W.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Forster, Sir C.
Forster, rt. hon. W. E.
Gardner, J. T. Agg-
Goldsmid, Sir F.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grey, Earl de
Grosvenor, Lord R.
Hamilton, hon. R. B.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Heath, R.
Herbert, H. A.
Hill, T. R.
Hinchingbrook, Visct.
Hodgson, K. D.
Holms, J.
Holms, W.
Holt, J. M.
Howard, hon. C.
Howard, E. S.
Hutchinson, J. D.
Ingram, W. J.
James, Sir H.
Jenkins, D. J.
Johnston, W.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
Kenealy, Dr.
Kennard, Colonel
Kensington, Lord
King-Harman, E. R.
Laverton, A.
Law, rt. hon. H.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Lefevre, G. J. S.
Legard, Sir C.
Leith, J. F.
Lewis, C. E.
Locke, J.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P. W.
Massey, rt. hon. W. N.
Meldon, C. H.
Mellor, T. W.
Middleton, Sir A. E.
Monk, C. J.
Morgan, G. O.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Noel, E.
Norwood, C. M.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Shaughnessy, R.
Parnell, C. S.
Pease, J. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Potter, T. B.
Power, R.
Price, W. E.
Puleston, J. H.
Ralli, P.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Richard, H.
Robertson, H.
Roebuck, J. A.
Rothschild, Sir N. M. de
Samuelson, B.
Samuelson, H.
Sanderson, T. K.
Sandford, G. M. W.
Seely, C.
Shaw, W.
Sheridan, H. B.
Sherriff, A. C.
Simon, Mr. Serjeant
Smith, E.
Smyth, R.
Stafford, Marquess of
Stansfeld, rt. hon. J.
Stepney, E. A. A. K. C.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Talbot, C. R. M.
Taylor, D.
Taylor, P. A.
Tennant, R.

Torr, J.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Wait, W. K.
Watkin, Sir E. W.
Weguelin, T. M.
Whalley, G. H.
Whitbread, S.
Whitwell, J.
Williams, W.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, C.
Wilson, Sir M.
Yorke, J. R.
Young, A. W.

TELLERS.

Gurney, rt. hon. R.
Knatchbull-Hugessen, rt. hon. E.

NOES.

Adderley, rt. hn. Sir C.
Allsopp, C.
Arkwright, A. P.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barttelot, Sir W. B.
Bates, E.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Bright, R.
Bruen, H.
Bulwer, J. R.
Burrell, Sir W. W.
Cameron, D.
Cave, rt. hon. S.
Christie, W. L.
Cochrane, A.D.W.R.B.
Cole, Col. hon. H. A.
Cordes, T.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir. W.
Dalrymple, C.
Davenport, W. B.
Digby, hon. Capt. E.
Dunbar, J.
Dyke, Sir W. H.
Edmonstone, Admiral Sir W.
Egerton, hon. W.
Elliot, G. W.
Ewing, A. O.
Fellowes, E.
Floyer, J.
Forester, C. T. W.
Freshfield, C. K.
Gallwey, Sir W. P.
Garnier, J. C.
Gibson, rt. hon. E.
Gorst, J. E.
Greenall, Sir G.
Gregory, G. B.
Grieve, J. J.
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, Marquess of
Hamond, C. F.
Hardy, rt. hon. G.
Hardy, J. S.
Harvey, Sir R. B.
Hay, right hon. Sir J. C. D.
Henley, rt. hon. J. W.
Herbert, hon. S.
Heygate, W. U.
Hogg, Sir J. M.
Holker, Sir J.
Holmesdale, Viscount
Home, Captain
Hubbard, E.
Hubbard, rt. hn. J. G.
Hunt, rt. hon. G. W.
Johnson, J. G.
Johnstone, Sir F.
Kinnaird, hon. A. F.
Learmonth, A.
Lechmere, Sir E. A. H.
Legh, W. J.
Lewis, O.
Lindsay, Col. R. L.
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Macartney, J. W. E.
Mackintosh, C. F.
M'Lagan, P.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
Marten, A. G.
Matheson, A.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Naghten, Lt.-Col.
Noel, rt. hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Clery, K.
O'Neill, hon. E.
Paget, R. H.
Parker, Lt.-Col. W.
Pelly, Sir H. C.
Pemberton, E. L.
Plunket, hon. D. R.
Ramsay, J.
Repton, G. W.
Ridley, M. W.
Round, J.
Sackville, S. G. S.
Samuda, J. D'A.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Sherlock, Mr. Serjeant
Shute, General
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, W. H.
Smollett, P. B.
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanton, A. J.
Stewart, M. J.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Thornhill, T.
Thynne, Lord H. F.
Trevor, Lord A. E. Hill-
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Watney, J.
Watson, W.
Whitelaw, A.
Wilson, W.
Winn, R.
Yeaman, J.
Yorke, hon. E.

TELLERS.

Hope, A. J. B. B.
Percy, Earl

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

OPEN SPACES (METROPOLIS) BILL.

(*Mr. Whalley, Mr. Morgan Lloyd, Sir George Bowyer.*)

[BILL 62.] SECOND READING.

Order for Second Reading read.

MR. WHALLEY, in moving that the Bill be now read the second time, explained that its object was to facilitate the acquisition by, and the transference to, the Metropolitan Board of Works of certain squares and other open spaces in the Metropolis. He said there were several such open spaces which were enjoyed by a limited number of persons, the owners of which were ready to transfer them to the local authorities on proper conditions as to maintenance and regulation. The Bill consequently did not give any compulsory powers, but would enable the Metropolitan Board of Works to acquire gardens and open spaces, by purchase or gift, for the recreation and amusement of the public, and enable them to make bye-laws and regulations for their preservation. Since the subject had been first brought under the notice of Parliament a strong feeling had been manifested by the public in favour of such a measure, and as an illustration of the benefits which might arise from it he would point out the facilities which had been given in the case of the Temple Gardens, where, in the afternoons during some months in the year, 2,000 or 3,000 children might frequently be found enjoying themselves, without inconvenience or annoyance to the members of the Temple. He should like to see similar facilities given to the public in the case of Lincoln's Inn and some of the squares, and wished to state that the Duke of Westminster was anxious that some recognized authority should take charge of one of which he was owner. As originally drawn, the Bill contained compulsory clauses which were objected to. These had been withdrawn, and therefore he hoped the Bill would be allowed to pass a second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Whalley.*)

Mr. ASSHETON CROSS said, he would not offer any opposition to the second reading as all the objectionable features had been taken out of the Bill. If it would give the people of London more places of recreation, no one would rejoice more heartily than himself.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

THRESHING MACHINES BILL—[Bill 20.]

(*Mr. Chaplin, Mr. Clare Read.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chaplin.*)

Mr. BIGGAR rose to move that the House do go into Committee on this day six months. There were several reasons why he did so. The Bill had obtained some support among hon. Members connected with agriculture; but yet he could not help thinking there was a want of thoroughness and a narrowness of scope in its provisions that would render it inoperative. He was somewhat surprised that that should be so, seeing that the hon. Gentleman who introduced the Bill (Mr. Chaplin) enjoyed plenty of leisure and industry, as was evident a few nights ago, when he delivered a speech directed against the right hon. Gentleman the Member for Greenwich which he had learned by heart. ["Order!"] Well, if he had not learned it, perhaps he read it on that occasion. If the opinion of an expert upon agricultural machines had been consulted perhaps the foundation of a better Bill might have resulted. This Bill dealt with threshing machines merely. Another year might bring a Bill upon churning machines, then again on mowing machines. He could not see any special reason why legislation was directed to threshing machines more than to other machines used on a farm. The hon. Member was proceeding to examine the Bill clause by clause, when——

Mr. SPEAKER said, the hon. Member was not in Order in going through the Bill clause by clause on the Motion "that I do leave the Chair." The discussion of the clauses was reserved for Committee, and his remarks must be directed to the general principles of the Bill.

Mr. BIGGAR said, he was anxious to point out how bad the Bill was from first to last. It opened up a great many questions which it did not settle. For instance, the liability of the master when one servant injured another, and so on. If Bills were to be introduced for every kind of machine used on a farm, there would be no end of legislation, and every hon. Member would be claiming the honour of having his name on the back of a Bill. The hon. Member proceeded amid continued cries of "Order!" and "Chair!" until—

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

SUPREME COURT OF JUDICATURE BILL.

Resolution [February 27] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. Attorney General, Mr. Secretary Cross, and Mr. William Henry Smith.

Bill *presented,* and read the first time. [Bill 103.]

HOMICIDE LAW AMENDMENT BILL.

On Motion of Sir Eardley Wilmot, Bill to amend the Law of Homicide, *ordered* to be brought in by Sir Eardley Wilmot and Mr. Whitwell.

Bill *presented,* and read the first time. [Bill 104.]

HABITUAL DRUNKARDS BILL.

On Motion of Dr. Cameron, Bill to facilitate the control and care of Habitual Drunkards, *ordered* to be brought in by Dr. Cameron, Mr. Clare Read, Mr. Ashley, Sir Henry Jackson, Mr. Edward Jenkins, and Mr. Richard Smyth.

Bill *presented,* and read the first time. [Bill 105.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 1st March, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Publicans Certificates (Scotland) * (14); Irish Peerages * (15).

KIDNAPPING IN THE SOUTH SEAS.

ADDRESS FOR CORRESPONDENCE.

THE EARL OF **BELMORE** asked the Secretary of State for the Colonies, Whether he is in a position to state that kidnapping in the South Seas has been entirely suppressed; and moved an Address for copies or extracts of Correspondence on the subject (if any) since the last Papers relating to the matter were laid before the House. The noble Earl said, it was now three years since he drew the attention of their Lordships to the abuses of the labour trade in the Polynesian Seas. On that occasion he moved for Papers, which had been produced, but since that time no further Papers on the subject, that he was aware of, had been laid before Parliament. But since the occasion on which he last drew attention to the subject circumstances had occurred which could not have been without influence on the state of things in the Polynesian Seas. Fiji had been taken over as a British Colony, a regular Government had been set up and a Vice Admiralty Court; and as under the administration of the noble Earl (the Earl of Kimberley) within the last five or six years the squadron on the Australian station had been augmented by the addition of one man-of war and four small sailing vessels, no doubt a better state of things was to be found there at present than that which formerly existed. In all probability his noble Friend the Secretary for the Colonies would be able to tell them that the worst abuses of the labour trade had been put down. He feared, however, that there were some minor abuses still. When their Lordships reflected upon the vast expanse of the Pacific and the great number of the Polynesian Islands, and also that the Australian station extended from four degrees south of the Line to the lowest limits of south latitude to which ships went, they would not be surprised that in spite of the most watchful energy of the five men-of-war supplemented by four small sailing vessels some irregularities should exist. He found that the report of the Melanesian Mission for 1876 called attention to several. First it was complained that in numerous cases the "labourers" when sent away from the place to which they had been brought to work were not conducted to the places whence they had come. On this point he begged to quote an extract from the Journal of the Rev. J. R. Selwyn, now Bishop of Melanesia, who stated—

> "We took up a Mota man who had been landed there—*i.e.*, off Gana—by a Fiji vessel, who by his account was dropping people in a very promiscuous way. The present Fiji Government are sending back large numbers of men, and the masters of the vessels have often great difficulty in finding out where the men come from, and don't care much. The prevalent idea is that so long as a man is put down on his island, or even in his group, it is all right; whereas the chances are that you put him down into the very midst of the people most hostile to him. This man told me that one unfortunate fellow from the north end of Aurora had been carried on, and was put down at Espiritu Santo. He himself was landed at Gana, and Lakona people were landed there also. Lieutenant Caffin, commanding the *Beagle*, told me that he had met a schooner conveying return 'labour' from Fiji, the captain of which had told him that he had not the vaguest notion where many of the men came from."

He could quite understand that it was not now always easy for the Fiji Government to secure that the labourers should be conveyed back to the places whence they had come, because it must in many instances be difficult, if not almost impossible, for that Government to ascertain the native residence of islanders brought to the labour market at a time when there was no regular Government in Fiji; but for the future there could be no excuse for not adopting proper means to keep a record on the subject. Another complaint was that women and children were allowed to be conveyed by the labour ships without the consent of the husbands and parents. On this point Bishop Selwyn's Journal contained the following statement:—

> "Sunday, Sept. 10.—After services on board the two vessels (the *Southern Cross* and Her Majesty's ship *Conflict*), we weighed for Opa, and anchored there in the evening. As we let go, a boat came alongside from a large bark which was returning 'labour' from Fiji. They had brought down 470, and were taking back a few which the Government agent candidly

confessed were women and children. They had two on board from Lakona, of whom our boys told us that they were both married, and had come away without their husbands' consent. I spoke out very plainly to the agent about this, which is the crying evil of the 'labour trade.' There is very little reverence for the marriage tie in any of the islands, especially the Banks, and this sort of thing upsets even that little. The agent was a decent sort of surgeon just out from England, and had his own wife on board; but he did not seem to think it could be helped, because the labour was wanted in Fiji."

A third grievance was that of overcrowding. At Cockatoo, near or at Taitahi, Bishop Selwyn wrote—

> "Sunday, July 30.—I was much better and went down three miles to the station, calling *en route* on a labour vessel which had anchored during the night. . . . I liked what I saw of the people on board, but the state of the ship must have been very bad when they sailed, as they left Fiji with 205 people on board in a vessel of 84 tons. The Fiji Government is doing its best to send home the men on the plantations."

Then there was what was known as "head hunting." It was much to be feared that at present, or, at least, up to a recent period, this continued. Writing from the Solomon Islands, or thereabouts, the Rev. John Still said—

> "The dread of head-hunting chiefs further west is still great, and with good reason, for in this very year they have nearly depopulated several villages not many miles beyond. Wadrokal is a plucky and determined fellow, and won't be so easily frightened as his people, who flee at the first approach of the enemy. If they would only make a stand, I fancy these pirates would give up molesting them. Both Mr. Selwyn and I have other besides missionary feelings when we hear how they are depopulating this island, and almost wish to stay there a while to show them our teeth."

Bishop Selwyn added his testimony on this point. Writing on the 2nd of August, he said—

> "My great dread about this place is the head hunters of New Georgia. They have laid waste the whole western coast of Ysabel, and quite down to the south end. Ferguson, the captain of a trading steamer, gave us a long account of their ravages and the mischief they have done and are doing. Every little canoe demands a life; a chief's death or a war canoe, 40 or 50. They keep the unfortunate captives as slaves, make them work very hard, and on any remonstrance tell them they are only 'heads'—*i.e.*, destined to be killed on any such occasion as I have referred to. Captain Noel, of the *Sandfly*, kept them in check two years ago by saying that he should drive back any canoes he found, and they actually did not go out for a year. A large man-of-war going there would, I think, stop it at once, and I hear the Commodore is likely to go there next year."

He wished to ask his noble Friend the Secretary for the Colonies for any information he could give their Lordships on these several points; and also as to whether he had any information as to a pirate called Hayes, who had commanded at one time a steamer called the *Waterlily*, a man who had made himself infamously notorious, and who was said to have been an Irishman by birth, though he had adopted American nationality? This man had some years ago been in the custody, at Samoa, of the Consul, Mr. Williams, who, however, had no means of detaining him, and he, consequently, easily made his escape. Subsequently, he (the Earl of Belmore) made a suggestion to Admiral Stirling, who was at that time Commodore of the Australian Station, which that officer was good enough to act on, by putting himself into communication with the Admiral in China, and making arrangements for a ship from each of their squadrons to meet near the Line. The result was that Hayes only escaped capture by a single day. He wished to know, what was the last information respecting him?

Moved that an humble Address be presented to Her Majesty for copies or extracts of correspondence on the subject of kidnapping in the South Seas (if any) since the last Papers relating to the matter were laid before the House.—(*The Earl of Belmore.*)

THE EARL OF CARNARVON, in reply, said, that since his noble Friend asked a Question on this subject about this time in 1874, an Act was passed while his noble Friend opposite (the Earl of Kimberley) was in the Colonial Office, and a subsequent one since he (the Earl of Carnarvon) succeeded his noble Friend, and had been carried into effect; besides this, Fiji had been taken up as a British colony. The establishment of Fiji as a British colony was probably the most effective measure that could have been taken for the suppression of the kidnapping; because with such a number of islands it would have been impossible, in the absence of anything like regular Government in Fiji, to put the labour trade under proper control. Accordingly, when submitting to their Lordships the proposal of Her Majesty's Government for taking up the Fiji Islands, the suppression of that traffic was the argument on which he mainly based the proposal. His noble

Friend (the Earl of Belmore) now asked for further Papers on the subject; but, as showing the satisfactory position of things in those Islands, it was gratifying to him (the Earl of Carnarvon) to be able to state that there were no such Papers to produce. He could, however, state his belief that during the last two years the abuses of the labour trade had been brought within very narrow limits. No doubt there had been occasional transactions of that kind, and therefore he should be taking too much on himself to say that they had been entirely suppressed, but certainly they were fast disappearing, and their present limitation led to the hope of its eventual suppression. This would seem to have been inevitable, looking to the fact that Fiji was now a civilized station, that there were two Acts of Parliament in operation which dealt with the labour trade, and that a considerable number of Her Majesty's ships—he believed there were not fewer than nine—were keeping a look-out on the South Seas to prevent abuses. No doubt it was due to the terror which those ships and the Acts of Parliament inspired that such good results had been effected. He remembered that in 1875 some complaints of a rather general and vague character reached this country—they led to the disclosure of some abuses, but these were not of a very serious character. One referred to a ship sailing under the British flag from a French colony to New Caledonia. Representations with respect to the practices of that ship were made to the French authorities, who, he believed, did all in their power to assist us in putting a stop to the abuses complained of. With regard to the labour trade itself, it was carried on within legitimate bounds and very narrow limits, and the abuses were few in number and of no very great importance. No doubt, head hunting had led to horrible massacres; but recently he had not received any statements which would incline him to believe that it was now practised on any extensive scale. With reference to the excessive number of passengers carried by ships trading in the Colonies—no doubt the evil of over-crowding would depend very much on the length of the voyage. On a short voyage in such a climate they would be comparatively light. However, his attention had been turned to the point, and only a few weeks ago he urged on the Governor of Fiji the importance of providing a larger amount of tonnage in proportion to the number of passengers carried. The Colonial Office had not been asleep on this matter. With regard to the points raised by his noble Friend, after more consideration, he should be able to give a more complete answer. With reference to that notorious filibuster, Captain Hayes, or Williams, he believed there was no iniquity that a man could commit of which he had not been guilty; and in conjunction with his noble Friend the Secretary of State for Foreign Affairs, every exertion had been made for the purpose of effecting his capture, but unfortunately without effect. Owing, however, to the increased supervision and watchfulness recently exercised, he would have less power of practising his iniquities than he before possessed. All the points to which his attention had been called were of the greatest importance and deserving of the most serious consideration as well as constant watching. At present he believed that no serious abuses existed; still he was aware that if any ships were taken off the station, and there was an absence of supervision, the trade would be carried on on as large a scale as formerly, and therefore it was the intention of the Government to maintain that supervision. Should circumstances give rise to fresh communications on the points raised by his noble Friend (the Earl of Belmore), he should gladly lay before the House any information the production of which might be of public interest.

THE EARL OF KIMBERLEY expressed his satisfaction at the statement of his noble Friend. Although on other grounds he had regarded the annexation of Fiji with some objection, he thought at the time the annexation was proposed that the strongest argument in its favour was its probable effects in relation to the labour trade. From the statement of his noble Friend he was glad to find that the expectations in that respect had been realized.

THE EARL OF BELMORE, in reply, said, that after what his noble Friend had stated, and which was very satisfactory, he, of course, would not press his Motion. He regretted that they did not know the length of the voyage which the over-crowded ship he had alluded to had made. Distance was a relative term, and his own experience of that part of the world was, that between different places they were generally great. He thought that Espiritus Santo, near which this ship was met, must be a considerable distance from Fiji.

Motion (by leave of the House) *withdrawn.*

IRISH PEERAGE BILL [H.L.]

A Bill to amend the law concerning the Peerage of Ireland—Was *presented* by The Lord INCHIQUIN; read 1^{a}. (No. 15.)

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter before Five o'clock.

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HOUSE OF COMMONS,

Thursday, 1*st March,* 1877.

MINUTES.]—SELECT COMMITTEE—Tramways (Use of Mechanical Power), *nominated.*
WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£350,000).
PUBLIC BILLS—*Committee*—Prisons [1]—R.P.
Committee—Report—Open Spaces (Metropolis) [62].

METROPOLIS—KENSINGTON GARDENS.

QUESTION.

MR. GORDON asked the First Commissioner of Works, If his attention has been called to the neglected state of Kensington Gardens, both as regards the trees and the herbage; whether any steps can be taken for the better preservation of both; and, whether anything can be done to remedy the unsightliness of the chance paths which have been made in various parts of the Gardens?

MR. GERARD NOEL: The attention of the noble Lord, my Predecessor at the Office of Works (Lord Henry Lennox) was last year called to the unsatisfactory state of Kensington Gardens. He asked for a Report on the subject both from Dr. Hooker and the Superintendent of Hyde Park. Perhaps the House will permit me to read an extract from it, as it expresses in far better terms than I can do the condition of Kensington Gardens.

> "Kensington Gardens differs from a park in which there are considerable space between the trees. When these fall from old age or other irremediable causes young trees can be planted in fresh and unbroken ground. Kensington Gardens, on the other hand, is practically a piece of forest, and requires for its renovation the same kind of treatment. The trees have, to a large extent, reached the term of their existance on a soil naturally light. The only plan appears to me to totally clear portions of the ground, deeply trench, fence, and replant."

The House will therefore see that the matter requires care and consideration, and, what is of greater importance, an expenditure of money. During the winter many trees have been cut down; they were merely bare poles, no ornament in themselves, and injuring their neighbours. This has opened out many of the large old trees and given space and light to the more flourishing younger ones; but the only way of dealing with Kensington Gardens is in the manner indicated in Dr. Hooker's Report. With regard to the herbage, many parts of the Gardens will be re-sown and put in order; but this question of the herbage is enough to break the heart of any one who takes an interest in it. The trees stand so thick, the shade from them is so great, and the number of persons walking over the grass is so considerable that it is quite impossible to keep it in tidy order. I hope, when the Estimates come on, to be in a position to propose a Vote for a new broad walk to run from the top of Rotten Row into Kensington Gardens, and this will obviate, to a certain extent, "the unsightliness of the chance paths," of which the hon. Gentleman complains.

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS ACT, 1868.

QUESTION.

MR. BUTT asked the Secretary of State for the Home Department, When he intends to introduce a Bill making provision for the trial of Election Petitions after the expiration of the Act now in force on the 31st of December next; and, whether such Bill will be submitted in a form that will enable the House to consider and adopt any amendments that may be deemed expedient in the provisions of that Act?

MR. ASSHETON CROSS: The Attorney General has had charge of the Bill; and I have had an opportunity of consulting with him, and I may say that it is the intention of the Government to introduce a Bill on the subject before long, whether before Easter or not I do not like to say positively. But the Bill will be submitted in a form which will enable the House to consider and adopt any Amendments which may be deemed expedient in the provisions of the existing Act.

METROPOLIS—HYDE PARK CORNER—CONSTITUTION HILL.—QUESTION.

MR. EDWARDS asked the First Commissioner of Works, Whether, as it is now found impracticable to open the approaches at Hyde Park Corner this year, Members of the Legislature may be permitted to drive down Constitution Hill to the Houses of Parliament, at such times, at all events, as Her Majesty the Queen may be absent from London?

MR. GERARD NOEL: In answer to the Question of my hon Friend, I have to say that the authority to permit the carriages of Members of the Legislature to drive down Constitution Hill does not rest with me, and I do not think it would be advisable to make such a proposal to Her Majesty.

THE MAGISTRACY, IRELAND—COMMISSIONS OF THE PEACE.—QUESTION.

MR. MELDON asked Mr. Attorney General for Ireland, If, under the existing state of the law, persons who, holding the Commission of the Peace, are declared by law to be disqualified by reason of their being declared bankrupts, committing offences, or accepting certain offices, nevertheless are at the issuing of the Commission of the Peace next after such disqualification occurs reappointed and become again entitled to hold such Commission; and, if it is not the fact that at the present time there are a large number of uncertificated and absconding bankrupts and other persons declared to be disqualified by law who are named in the Commission of the Peace, and who are entitled to be Justices of the Peace in Ireland; and, if he will take steps to prevent such a state of things in future?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): I have no information which would enable me to give the particulars referred to in the Question. I believe there are some but not a large number of persons disqualified by bankruptcy and other causes now included in the commission. As the subject is one of considerable importance, I have communicated with the Lord Chancellor of Ireland, who has the power of appointing and superseding magistrates, and who exercises a general jurisdiction over them. I have this morning received a letter from his Lordship's secretary, which states shortly the remedies he proposes to meet the evils alluded to. The system in Ireland of appointing justices is very inconvenient. On each new commission the names of all the other magistrates are inserted. In England, since the time of Lord Chancellor Parker, only the new name is given. The Lord Chancellor proposes to assimilate the Irish system to the English, by introducing a clause in a Bill which is contemplated and which would permit official instruments to be shortened. The Irish mode makes it a matter of doubt whether disqualified persons are not each time appointed, whereas in England no such question arises. To reform the mode of appointment seems the best way of dealing with the difficulty. But, until an improvement in the system of appointment is made, it is intended to omit in any new commissions such persons as information can be obtained about from the Court of Bankruptcy.

NAVY—NAVAL CADETS' COLLEGE—SITE.—QUESTION.

MR. E. J. REED asked the First Lord of the Treasury, If his attention has been called to the inconsistencies in the Reports of the Committee on the Site for the Naval Cadets' College, as shown by the statement in the text that the Milford Haven (Newton Noyes) site is rejected on the ground of "immoral temptations," whereas the Tabular Report, signed by the chairman, declares it to be "unobjectionable in this respect;" by the Tabular Report stating that the bathing accommodation at Mount Boon is "very good," whereas the text states that it is not so, but would require extension and improvement; and, by rejecting a site (Newton Noyes) which the Tabular Report shows to be suitable in all respects excepting some moistness of climate, and recommending the Mount Boon site, the climate of which is described in the Report as "a moist one," with an average rainfall "greater than that of any other south-west site visited;" and, what steps he proposes to take in order to furnish the House with correct and consistent information on this subject?

Mr. HUNT: I sent a copy of the hon. Gentleman's Question to the Chairman of the Committee (Admiral Wellesley), thinking that was the best way of obtaining an answer to it. In reply I have received a letter from the Chairman, who says—

> "The answers in the Tabular Statement must be considered as comparative, and generally as in regard to other sites in the same locality. With regard to Newton Noyes the expression should, perhaps, more properly have been 'less objectionable,' meaning thereby less so than 'Castle Hall,' but they are both too near the seaport town of Milford, though it would be easier to restrict visits from Newton Noyes than from Castle Hall. I do not see the discrepancy as regards bathing at Mount Boon. The text says, 'at present the facilities for bathing are not all that can be desired, but might be extended and improved,' and then surely we are not wrong in saying that they will afford 'very good facility.' I assume facility and capability of being made so are understood as convertible terms, otherwise our Report may mislead, as any site must require a good deal of adaptation, &c. The question as I understood it was as to whether the sites possessed [facilities] or were capable of being made to answer each purpose. Mr. Reed seems to overlook the fact that we objected at the outset to Milford Haven as having the disadvantages, though in a less degree, of the other dockyard ports. The medical men, therefore, have not said their say in regard to climate, &c., which would alone condemn it as being many degrees worse as to rain and damp than Devonport and other places."

The explanation of the Chairman of the Committee appears to me to be satisfactory, and to reconcile the seeming inconsistencies which the hon. Member points out.

POST OFFICE—PRIVATE LETTER BOXES.—QUESTION.

Mr. A. M'ARTHUR asked the Postmaster General, If he will be good enough to state why it has been thought necessary to raise the charge for private boxes in the Leicester Post Office from two to three guineas each; and, if a similar increase is to take place in other towns?

Lord JOHN MANNERS, in reply, said, that the charge for private letter boxes had been raised from one to two guineas in certain cases, and from two to three guineas in others. The change was adopted some years ago in the larger offices, and it was now thought advisable to extend it, in view of the greatly increased cost to which the country was put in providing new Post Office buildings of a superior description, and of increased charge for the clerks who must be in attendance at the Private Box Office. In some few cases even a higher rate had been fixed on.

ARMY—ANTRIM—BRIGADE DEPOTS.

QUESTION.

Mr. O'NEILL asked the Secretary of State for War, Whether his attention has been directed to the following statement which has appeared in the public papers:—

> "It has been ruled by the military authorities that Antrim, which was selected for the head quarters of the 63rd Brigade Depôt, is altogether unsuited for a military station;"

and, whether that statement is correct?

Mr. GATHORNE HARDY: My attention had not been called to this statement until the hon. Member put down his Question. I can find no authority for it in the Office, and no such ruling has been made.

ECCLESIASTICAL DILAPIDATIONS ACTS.—QUESTION.

Mr. MONK asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce a Bill to amend the Ecclesiastical Dilapidations Acts during the present Session?

Mr. ASSHETON CROSS, in reply, said, a Committee which sat last Session reported that the Acts required amendment, but they did not at all indicate what amendment ought to be made. Their Report was under the serious consideration of Her Majesty's Government, and he hoped in a short time to be able to announce the decision at which they had arrived.

ARMY—THE FIRST CLASS RESERVE FORCE.—QUESTION.

Mr. BRIGGS asked the Secretary of State for War, What was the strength of the First Class Reserve Force on the 1st of January, 1877?

MR. GATHORNE HARDY: Six thousand and sixteen.

PRISONS—MILLBANK—THE DIETARY.

QUESTION.

SIR EDWARD WATKIN asked the Secretary of State for the Home Department, Whether, in reference to representations made to him last year, he has proposed any improvement in the dietary or any reduction in the labour of soldiers sent by verdict of Court Martial to Millbank or any other Civil Prison in which military are confined?

MR. ASSHETON CROSS, in reply, said, the Secretary of State for War some time ago appointed a Committee, and, in accordance with their Report, sanctioned certain alterations in the dietary of military prisoners in Millbank. He (Mr. Cross) thought the Report so good that he adopted the same scale for all the other prisoners.

NAVY—PAY OF ROYAL MARINES.

QUESTION.

DR. KENEALY asked the First Lord of the Admiralty, Whether it is a fact that the soldiers and officers of the Royal Marines receive less pay than the soldiers and officers of the Line; and whether it is a fact that the pay and pension of the soldiers of the Line have been recently raised, while no increase has been made in the pay or pension of the Royal Marines; and, if this be so, whether he will state the grounds on which such inequality is based?

MR. HUNT: The pay of Marine officers is identical with that of Army officers, but the men's pay is different. The soldier now receives 1*s.* a-day pay, and for the first 12 years of service 2*d.* a-day deferred pay and free rations; the Marine on shore is paid 1*s.* 2*d.* a-day pay and 1*d.* a-day beer money; but from this is deducted 4½*d.* a-day for rations. His net pay is, therefore, 10½*d.* a-day. The Marine when afloat receives free naval rations in addition to the pay of 1*s.* 2*d.* As the Marine serves half his time afloat and half on shore, his average net pay is 1*s.* 0¼*d.*, so that as regards substantive pay he has ¼*d.* more than the soldier throughout his service, but against this is to be set 2*d.* a-day deferred pay for 12 years of service, which the soldier earns and the Marine does not. The pay of sergeants in the Army is in excess of that of Marine sergeants. It is impossible to make an exact comparison as regards pension between the Army and the Marines. In some respects the soldier is the gainer, but in others the Marine has the advantage. There has recently been an addition to the pay of the soldier in the shape of the deferred pay already mentioned. Whether the pay of the soldier and the Marine should be equalized in all respects would appear to be a matter for a discussion rather than the subject of a Question and Answer across the Table.

INDIA—RESIDENCE FOR THE VICEROY AT SIMLA.—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether it is true that it has been determined to build a residence for the Viceroy of India at Simla; and, if so, whether this and other expenditure at that place are the result of a determination to make it a permanent residence of the Viceroy and his Council?

LORD GEORGE HAMILTON: Lord Northbrook, when Viceroy, sent home a request for sanction to a certain expenditure at Simla to remedy defective drainage and an insufficient water supply. This was sanctioned by the Secretary of State. The residence of the Viceroy at Simla is a hired house, condemned by medical authority as unhealthy, and utterly inadequate in its accommodation. Serious sickness prevailed in consequence during the whole autumn among the Viceroy's household, and I believe it has been determined in India to erect at a small cost a more suitable residence; but the details concerning this expenditure have not yet come home. Lord Salisbury has not in any way altered or confirmed the present optional arrangements of the Government of India by which they annually spend the hot months at Simla.

EGYPT—BRITISH OFFICIALS IN EGYPT—MR. FITZGERALD.

QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether it is true that Mr. G. Fitzgerald, an officer of the Indian Financial Department, has been allowed to take service with the Khedive of Egypt, retaining at the same time his place in the Indian service, and his claims to promotion and pension there; and, if so, whether this arrangement does not conflict with the policy announced by Her Majesty's Government last year when the Government refused to allow any British officer to undertake any office in connection with Egyptian finances, without first resigning the British service, and insisted that an officer of the Treasury who had gone to Egypt should elect between the two services?

Lord GEORGE HAMILTON: Mr. Fitzgerald is an officer in the Uncovenanted Civil Service of India, and has been home on medical certificate since September last. Since then he has had an extension of one year's leave, and I believe he is employing this time in the temporary service of the Khedive. There is, therefore, no analogy between the circumstances under which Mr. Fitzgerald is now serving and those under which the Government announced their decision of last year.

INDIA—ROYAL TITLES ACT—"KAISER-E-HIND."—QUESTIONS.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, Whether it is the case that the new Indian title of Her Majesty has been officially translated "Kaiser-è-Hind;" and, if so, whether he can be so good as to inform the House why the Viceroy has thought proper to use a German title, Kaiser, as unknown to the Natives as the English one, and to set it out in a Persian language, as little known to most of them as the English language?

Lord GEORGE HAMILTON: It is true that the official translation of Her Majesty's new title in India is Kaiser-è-Hind. The second part of the hon. Member's Question is of a somewhat controversial nature. Since it has been on the Notice Paper I have received a large number of communications from distinguished Oriental scholars, and perhaps the hon. Gentleman will be surprised to learn that one and all express the most indignant astonishment that an hon. Gentleman of such high Indian experience should have fallen into the error of assuming that the title is a German title, or that it is unknown to the Natives of India. From these distinguished authorities I understand that the word "Kaiser" is an old Arabic word, which has been much used for many centuries in the East both in writing and speaking, and thoroughly understood by the educated Natives of India. The Viceroy of India adopted the title after long consultation with his Council, and with their unanimous approval. Amongst the Council were Sir William Muir and Sir Clive Bayley, who are admitted to be most distinguished Arabic scholars. Of course, I need not point out to the hon. Gentleman that India is not inhabited by one nation, and that India is not a country in which one language is spoken; but it is inhabited by many nations speaking different languages, and it was not therefore possible to adopt any one particular title which should be intelligible to all. The Viceroy, therefore, adopted this title because, in the opinion of those who were best qualified to offer any judgment on the question, it was the one most appropriate in a historical sense, and best understood by educated Natives, and most capable of easy and accurate rendering into the various vernacular tongues of India.

Sir GEORGE CAMPBELL: May I ask the noble Lord, Sir, in answer to the latter part of my Question, why the title which he describes as being known in Arabic is set forth in the Persian language?

Lord GEORGE HAMILTON: I believe the word "Kaiser" is an Arabic, a Persian, and a Greek word for it is in fact the Eastern rendering of Cæsar. If my hon. Friend will look into his Greek Testament, I think he will find the word "Kaiser" occurs there more than once.

Sir GEORGE CAMPBELL: May I ask the noble Lord to answer the latter part of my Question. It refers to the latter part of the title ——é-Hind.

INDIA—PROCLAMATION OF THE ROYAL TITLE AT DELHI.

QUESTION.

Mr. GOURLEY asked the Under Secretary of State for India, If he will state upon what principle the Viceroy of India regulated the distribution of hon.

ours among the Chiefs and prominent Natives at the recent Proclamation of Her Majesty the Queen as Empress of India at Delhi; if it be correct, as reported in several Anglo-Indian journals, that considerable dissatisfaction exists with reference to the distribution of these honours; if he will state how many of the Chiefs attended the Proclamation by invitation, and how many by command; and, whether he can state the cost which the ceremonial will impose upon the revenues of India; and, if he will have any objection to lay upon the Table of the House a Return showing the items of expenditure?

LORD GEORGE HAMILTON: The principle upon which honours were distributed at Delhi was the same upon which honours are given here—namely, that Government selected those who, in their opinion, were best entitled to some mark of distinction. The Viceroy carefully consulted the various local Governments as well as his own Council in making those selections. Disappointment must, I am afraid, always result from any distribution of honours where the would-be recipients are more numerous than the honours given. All the Chiefs present came by invitation. We have not yet the accounts of the cost of the Assemblage, but as soon as we receive them they shall be laid upon the Table of the House. I am able to give the last estimate. The expenditure both in this country and in India is estimated at £65,000, from which £23,000 must be deducted, which has been paid as coming within the ordinary Military Budget of the year, as it relates to the movement of troops. On the other side there must be a considerable increase both in the railway and telegraph receipts in consequence of the Assemblage. We believe that when both sides of the account are considered it will be found that, owing to the judicious arrangements of the Viceroy, a great political object has been attained at small cost to the State.

NOVA SCOTIA—NULLITY OF LEGISLATION.—QUESTION.

MR. W. JOHNSTON asked the Under Secretary of State for the Colonies, Whether the statement is true that the Supreme Court of Nova Scotia had given a decision that, in consequence of the absence of the Great Seal, all acts of the Province, and all marriages contracted since 1869, were null and void; and, if so, what steps are proposed to be taken to remedy the illegalities?

MR. J. LOWTHER was unable to say whether or not there was any truth in the statement in question, as no official information had yet been received upon the subject.

RUSSIA—RELIGIOUS PERSECUTION IN POLAND.—QUESTION.

MR. OWEN LEWIS asked the Under Secretary of State for Foreign Affairs, If his attention has been called to the following statement in the "Pall Mall Gazette" of last week—

> "We hear again of Russian persecution in the diocese of Chelm. After the massacres which took place there two years ago many of the priests of the United Greek Church were expelled from their parishes, and their places were taken by Russian Popes. The peasants, however, continued, though secretly, to practise the rites of the 'United' creed: and in several villages of the diocese the inhabitants do not appear at Divine Service and even refuse to allow the Pope to christen their children or bury their dead. At Chulczyce the Pope, finding that his church was always empty, and that his place was a sinecure, complained to the Governor at Chelm, who sent a body of police to the village with instructions to 'persuade' the inhabitants to be more attentive to their pastor. The peasants proving obdurate, a body of troops was sent to enforce obedience; a great number of the malcontents were killed and wounded; and it is stated that the Government has given orders for transporting the whole population of the village to Siberia, as was done in the case of several other villages in 1874. At Lamazy, in Padlachia, the peasants were equally refractory; the church has been closed; and the Roman Catholic curate banished;"

and, if he can inform the House whether there is any truth in the above statements?

MR. BOURKE: We have not received any report of the statements mentioned in *The Pall Mall Gazette* in regard to the occurrences which took place recently at Chulczyce; but we have statements in Reports which were sent to the Foreign Office last year and the year before of a very similar character to those mentioned by the hon. Member.

INDIA—DROUGHTS OF SOUTHERN INDIA—REPORT OF DR. HUNTER.

QUESTION.

MR. E. HUBBARD asked the Under Secretary of State for India, Whether he will, as soon as possible, lay upon the Table of the House the Report on the Droughts of Southern India, drawn up by Dr. W. Hunter, referred to in the Calcutta telegram of the "Times" of February 26th last.

LORD GEORGE HAMILTON: We have only heard of Dr. Hunter's calculations by telegraph; but I cannot conceive that there would be any objection to publishing them when we receive them.

COLONIAL MARRIAGES BILL.

QUESTIONS.

MR. KNATCHBULL-HUGESSEN asked Mr. Chancellor of the Exchequer, Whether, after the decided expression of the opinion of the House upon the Second Reading of the Colonial Marriages Bill, he will afford facilities for its further discussion? His only justification for this Question was in the fact that the adoption of the Rule which prevented Opposed Business from being started after half-past 12 o'clock precluded the possibility of private Members bringing forward their measures without the assistance of the Government.

MR. HEYGATE wished to ask the Chancellor of the Exchequer a Question, of which he had given him private Notice—namely, Whether after the expression of opinion in the House in favour of the legality of these colonial marriages in England he would afford facilities for discussing the question of making valid in England Scotch marriages?

THE CHANCELLOR OF THE EXCHEQUER pointed out that the effect and operation of the Rule to which the right hon. Gentleman had referred was not confined to measures in the hands of private Members, but also affected the conduct of Government Business; and he was afraid that even if this had been a Bill which Her Majesty's Government were prepared to recommend to the House, he would have found very great difficulty in granting a day or giving other facilities for bringing it forward. As it was a Bill which they did not altogether desire to recommend, it seemed to him the reasons for not acceding to the request of the right hon. Gentleman were peculiarly strong. If the measure came before the House again, he would probably feel it necessary to make some observations on certain of its bearings which he thought had not been yet fully considered. With reference to the Question of his hon. Friend (Mr. Heygate), he must reply to him also that he could not undertake to grant him the facilities he desired.

PENSIONS TO POLICE CONSTABLES' WIDOWS.—QUESTION.

MR. PAGET asked the Secretary of State for the Home Department, Whether he will take into consideration the advisability of giving to local authorities power by Statute to grant pensions to widows of police constables who have been killed in the execution of their duty?

MR. ASSHETON CROSS, in reply, said, he hoped his hon. Friend would not infer from his not giving a direct answer that he did not deem the Question worthy of consideration. A Committee had been appointed the year before last to consider the whole subject of the superannuation of the police, and had since been re-appointed, and he thought it would be the wiser course to leave in their hands for the present the point which had just been mentioned, and to wait for their opinion upon it.

EDUCATION CODE—NEW CODE OF REGULATIONS.—QUESTIONS.

MR. FAWCETT asked Mr. Chancellor of the Exchequer, Whether he is aware that the Education Code, which was laid upon the Table of the House on the 9th of February, was not circulated amongst Members until the 26th of February; and, whether, as this delay in the circulation of the Code leaves only thirteen days for its consideration out of the thirty days during which it has to lie upon the Table of the House, he is prepared to afford any facilities for the discussion of the Code before the 11th of March, on which day it will come into operation?

THE CHANCELLOR OF THE EXCHEQUER was understood to say that, in accordance with the recognized practice, as the Code was not circulated till the 26th of February, the time left for its consideration would be 30 days from that date.

MR. W. E. FORSTER inquired whether the same rule applied to schemes with regard to endowed schools?

VISCOUNT SANDON was understood to say that last year, when asked the same Question, he replied that it was the desire of the Government that the full time mentioned should be allowed.

CRIMINAL LAW—ALLEGED OUTRAGE AT STAMFORD.—QUESTION.

MR. SULLIVAN asked the Secretary of State for the Home Department, Whether it is true, as stated in the "Press and St. James Chronicle" of the 17th instant, that at Stamford a person named Hammond was recently "watched through a dark unfrequented street, brutally knocked down, and robbed of a parcel which he was taking for special protection to the railway station; whether any complaint or report of this outrage was made to the police authorities; and, whether they have taken any steps or made any inquiries in consequence thereof; and, if no offender has been brought to justice for the outrage, what reason or explanation do the magistrates and the police assign for such failure?

MR. ASSHETON CROSS could not say whether the report was true or not; but a complaint was made to the police authorities of the town about a similar outrage, and the magistrates said they ordered a strict inquiry to be made into the matter. The police, however, were unable to trace the missing parcel or to find any clue to the perpetrator of the offence. Indeed, they had, it appeared, considerable doubt as to whether any such outrage had been committed at all; but he would order further inquiry to be made.

PRISONS BILL.—[BILL 1.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress, 22nd February.*]

Bill *considered* in Committee.

(In the Committee.)

Visiting Committee of Justices.

Clause 10 (Appointment of visiting committee of prisons).

MR. ASSHETON moved, in page 4, line 10, at end, to add—

> "and the fifty-fifth section of 'The Prison Act, 1865,' shall be read as if the words 'visiting committee' were substituted for the words 'visiting justices.'"

The county and borough gaols under this Act would become Queen's prisons, under the direct control of the Secretary of State, who was rarely seen in the country, though much believed in. It was essential that the people should had confidence that the law would be properly administered, and it was desirable that all justices should have access at all times to prisons, as they had now, with power to report to the visiting committee. If that safeguard was removed, the time of the House would be taken up with complaints similar to those which had been lately made of the "unfortunate person" who was locked up in one of our convict prisons. It was therefore desirable to prevent cases from cropping up of imaginary ill-treatment, leaving a burning sense of injustice in the minds of the people.

MR. ASSHETON CROSS said, he could assure the House that this was not a question of principle, but purely of drafting. He was advised that, as the Bill was drawn, it would secure all that the hon. Member required. He, however, suggested that this Amendment should be withdrawn, and that the Committee should accept that proposed by the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson).

Amendment, by leave, *withdrawn.*

MR. LEIGHTON moved, in page 4' line 12, after "under this Act," to insert "and every convict establishment in England." His object was to carry, as far as possible, the principle of uniformity, which was the basis of the Bill, to its legitimate conclusion. The Home Secretary had applied that principle to 20,000 prisoners, leaving 10,000 outside the provisions of the Bill. If it was necessary for the short-sentenced men to have the protection of periodical visits from independent gentlemen, it was far more necessary that the long-sentenced men should have a similar protection. The acceptance of his Amendment would take away from the Bill the reproach that it was a step towards present government.

MR. ASSHETON CROSS repeated what he had said on a previous occasion —namely, that he very much agreed with the terms of the Amendment, though he thought it would be inconvenient to introduce it into this Bill. At some future time he should be quite willing to discuss the point.

Mr. PEASE thought the difficulty with regard to the insertion of the Amendment in this Bill might be met by placing all criminals, including those in the convict prisons under long sentences under the surveillance of the local magistracy.

Sir ANDREW LUSK was strongly in favour of inspection. We did not know where we were going; but we knew where we had come from. [*Laughter.*] He meant what he said. It was only 100 years since John Howard published his book, in which frightful disclosures were made on the subject of prison life; and, as far as he could see, we might end there again. Government managed then, and would now.

Mr. PAGET hoped that the Amendment would be withdrawn after the intimation of the Home Secretary that he was not opposed to the principle of the Amendment.

Mr. MUNTZ remarked that some of the things mentioned in the book referred to by the hon. Baronet (Sir Andrew Lusk) were as bad as Bulgarian atrocities. Moreover, within the last few days they had heard of indignities being perpetrated on a well-known person at Dartmoor. If this was not the time to bring forward this Amendment no time would be appropriate. He should certainly support the Amendment if it was carried to a division.

Mr. J. R. YORKE thought that the House ought to be satisfied with the assurance of the Home Secretary on the subject. He hoped the Amendment would be withdrawn.

Sir HENRY JACKSON suggested that the necessary clauses to ensure an inspection of convict prisons should be brought up on the Report.

Mr. HENLEY said, he could not see that this Bill had anything to do with convict prisons. It was a great mistake to have a divided authority in visiting the gaols with which they were dealing; but it would be still worse if they applied it to the convict establishments. He would like to know whether, from the right hon. Gentleman's reading of the clause, the appointment of visiting justices would be made imperative? It ought to be clearly understood whether they would be appointed with their consent or not.

Mr. Assheton Cross

Mr. ASSHETON CROSS said, it would be imperative upon the courts of quarter sessions to appoint certain visiting justices, and it would be imperative on those justices to serve. Of course, the court of quarter sessions, in the exercise of their discretion, might previously ask the justices whether they would serve. Their duties would be confined to the administration of the gaol, and would be analogous to those they had hitherto performed.

Mr. WHALLEY wished to allude to a certain convict at Dartmoor. It greatly increased the anxiety of those persons who were interested in that prisoner that rumours got abroad respecting his treatment in the prison, and that anxiety would be considerably diminished if he were visited by justices, by whom his friends might be assured that he was properly treated. He believed that among the prisoners confined in the convict prisons there were many grievances which demanded inquiry.

Mr. ASSHETON CROSS said, that if this proposal was to be carried out it must be in a separate Bill. He was quite willing to consider the question, but not in the present Bill. With regard to the particular prisoner referred to by the hon. Member for Peterborough (Mr. Whalley), he could assure hon. Gentlemen that he had made most careful inquiries into the matter, and had found that every possible care and attention had been paid to him.

Amendment, by leave, *withdrawn.*

Mr. WHITBREAD moved, in page 4, line 17, at end to add, as a fresh paragraph—

> "Nothing in this Act, or in any rules to be made under this Act, shall restrict any member of the visiting committee from visiting the prison at any time, and any such member shall at all times have free access to every part of the prison, and to every prisoner therein."

Amendment *agreed to.*

On the Motion of Mr. Rowley Hill, certain words were introduced to save the right of the Worcester Corporation under the Worcester Prison Act to appoint visiting justices.

Mr. FRESHFIELD moved, in page 4, line 25, at end, to add—

> "Provided, That there shall be on the committee at least one such justice representing the jurisdiction of each prison authority in existence

at the date of the commencement of this Act in the county or part of a county or borough to which each prison shall be assigned."

He said that the prisons in different counties or boroughs might be abolished under the Bill, and as the clause was drawn they might not get that full representation of the justices generally on the committee which was desirable.

MR. ASSHETON CROSS said, he could not accept the Amendment on the ground that it would lead to considerable confusion. There were a great many prison authorities at present who had no gaols of their own, but sent their prisoners elsewhere, and there was no reason why they should be brought in under the Bill. Besides, as a rule, it would be found that the visiting justices who lived at a distance from the gaols took little trouble about them.

SIR WILLIAM HARCOURT pointed out that in the town which he had the honour to represent there was a borough and a county gaol, and it was probable that one of the two would be done away with, and the prisoners would be placed in the other gaol. There was a strong feeling that those who had had authority in the gaol to be abolished should not be set aside altogether, and he would like to know what were the views of the right hon. Gentleman with reference to dealing with the authorities in such a case as he had suggested.

MR. ASSHETON CROSS said, that no doubt in certain cases where there happened to be both borough and county gaols one or the other must give way. The intention undoubtedly was that if the borough gaol was done away with a number of justices in proportion to the prisoners contributed by the borough should be placed on the visiting committee. In the same way if the county gaol were abolished a certain number of county justices proportionate to the number of prisoners from the county would be joined with borough justices. He would have no objection to introduce words on a future occasion making it clear that this was the intention of the Act.

MR. THOMSON HANKEY stated that his constituents were deeply interested in this question, and were looking forward anxiously to the action of the Home Secretary with regard to it.

Amendment, by leave, *withdrawn.*

MR. WHALLEY moved the following Amendment, which stood on the Notice Paper in the name of the hon. Member for Worcester (Mr. Rowley Hill), which he proposed to add at the end of the clause:—

"Provided always, That where the right of appointing visiting justices or visitors of any prison hath heretofore been vested in the municipal corporation of any city or borough, the right of appointing the visiting committee under this Act shall be exercised by such municipal corporation and not by the justices of such city or borough."

The hon. Member was proceeding to remark upon the regulations of convict prisons, when—

THE CHAIRMAN pointed out that the hon. Member was out of Order in discussing the subject of convict prisons in reference to an Amendment which related to a different class of prisons.

DR. KENEALY submitted that the hon. Member was quite in Order in referring to cruelties and hardships which had occurred in Government prisons as a ground for vesting the appointment of the visting justices for borough prisons in the town council.

THE CHAIRMAN said, the hon. Member for Peterborough was travelling beyond his own Amendment in entering into an argument as to the condition of convict prisons. In answer to the remarks of the hon. Member for Stoke, he might observe that the question raised by the Amendment was not as to the appointment of visiting justices generally, but as to who were the proper authorities to appoint them. Of course, if the hon. Member was only illustrating his argument in referring to the management of the convict prisons, the Committee would perhaps be inclined to allow him some latitude.

MR. WHALLEY was merely advocating the introduction of a still stronger blast of civil life into the recesses of our prisons. The right hon. Gentleman, to whom special credit was due for the anxiety he had always shown to do what was right, had been misinformed and misled with reference to one case which had occurred in our convict prisons. He could prove this by the fact that the treatment of the prisoner to whom he referred had been totally changed. When the right hon. Gentleman—and such a right hon. Gentleman—had been misinformed and misled it, showed the necessity that existed for securing a proper civil supervision of our prisons as contradistinguished from mere official supervision. He therefore trusted that the Amendment he now moved would be accepted.

Amendment proposed,

In page 4, line 25, at the end of the Clause, to add the words "Provided always, That where the right of appointing visiting justices or visitors of any prison hath heretofore been vested in the municipal corporation of any city or borough, the right of appointing the visiting committee under this Act shall be exercised by such municipal corporation and not by the justices of such city or borough."—(*Mr. Whalley.*)

Question put, "That those words be there added."

The Committee *divided:*—Ayes 54; Noes 253: Majority 199—(Div. List, No. 20.)

Clause, as amended, *agreed to.*

Mr. PAGET moved, in page 4, line 27, after "Secretary of State" to insert "shall on or before the commencement of this Act, make and publish and."

Amendment *agreed to.*

Clause 11 (Duties of Visiting Committee).

Sir WALTER BARTTELOT, in moving, as an Amendment, the omission of the following words:—

"The visiting committee may from time to time (subject to such rules as to rotation or otherwise as may be made by the Secretary of State) nominate to the Prison Commissioners persons fit to be admitted into the prison service as subordinate officers, and such persons shall, in the event of their possessing such qualifications and fulfilling such conditions as may from time to time be prescribed by the Secretary of State, be appointed to vacancies from time to time arising in the prison service,"

said, that he wished to have omitted from the Bill the small amount of patronage that had been placed in the hands of the visiting justices. His objection to the Bill was not on account of there being no patronage allowed to the magistrates, but to its principle. In the debate on the Motion of his hon. Friend the Member for East Devon (Sir John Kennaway), the Secretary of State said objected to any stringent words being placed in the Bill, because he might thereby be forced to do certain things which he might not wish to do, and prevented from doing certain things and from appointing certain persons he might wish to appoint. If that objection applied to one portion of the Bill it applied equally to another. If they were not to have that patronage, and if the discipline was to be maintained by the Secretary of State and the Commissioners, let them have the patronage, and let the visiting magistrates have the important work entrusted to them of seeing that prisoners had no complaint to make, but let them not have divided responsibility, even the small amount of recommending persons for this patronage. He observed from the Notice Paper that his hon. Friend the Member for East Devon (Sir John Kennaway) intended to suggest that the Secretary of State for War should have this patronage. Well, he believed that amongst the non-commissioned officers of the Army there would be found as good a class of men to put into prison service as could possibly be selected, and he hoped that the Home Secretary would never lose sight of that fact; but, at the same time, it would manifestly be unwise to say that no other deserving men should be open to appointment.

Mr. NEWDEGATE remarked that the patronage which it was proposed to confer on the visiting committee would serve no purpose whatever, except to disguise the exclusive domination which was to be exercised by the Home Secretary, and to defeat the responsibility he proposed to assume. That patronage could only operate to the deception of the public, and he therefore thoroughly concurred in the request that the Justices in Quarter Sessions might not be encumbered with this small patronage.

Mr. KNATCHBULL-HUGESSEN said, that he hoped his right hon. Friend would announce his consent to the Amendment — which was in the right direction. The words not only possibly created a divided responsibility, but were directly surplusage. Under restrictions to be imposed by the Secretary of State the justices were to nominate persons to certain subordinate appointments. The privilege of recommending persons to such appointments would exist without these words, and any Secretary of State would attend to recommendations coming from such a quarter. As it stood, moreover, the clause appeared to give a power of nomination which it did not give in effect, because the rules regulating the appointments would be in the hands of the Prison Commissioners or the Secretary of State. This part of the clause was an unreality, therefore, to which he objected. Having given the power to the Secretary of State, the less they clogged him the better.

Sir JOHN KENNAWAY said, that he could save time by stating his cordial agreement with the Amendment of his hon. and gallant Friend (Sir Walter Barttelot), which, he thought, was approved of by the Committee. He thought the justices would decline to be burdened with this patronage, though he had been accused of coveting patronage for them. The object of the further Amendment to which his hon. and gallant Friend had referred was not to tie the hands of the Secretary of State as to the persons he should appoint, but to offer increased inducements to good men to enter the Army. It had been found difficult to find a class of appointments suited to retired soldiers; but if it were known that such appointments existed, it would add greatly to the inducements which the recruiting sergeants had to offer.

Mr. PEASE supported the Amendment on the ground that a divided responsibility in prison management was objectionable. He hoped the Home Secretary would keep all these appointments in his own hands. The proposal of the hon. Member for Devonshire could only result in confusion. Those who had served in the Navy and in the Civil Service were equally as deserving as those in the Army.

Mr. HENLEY hoped the Committee would strike out the clause. If they wanted a gaol to be well managed they must have undivided authority and responsibility. The Prison Commissioners and the Home Secretary ought to be responsible for everything, and then if matters did not go well the House would know whom to "pitch into." If they wanted to scare magistrates from acting as visiting justices they would give them the duty of inquiring into the doubtful qualifications of A, B, or C for these situations.

Mr. ASSHETON CROSS said, he thought the Committee would believe him when he said that he had not sought for any patronage in this Bill that he could possibly avoid exercising. The clause did not, in his view, create a divided authority. His intention was that the visiting justices might send up the names of any persons whom they thought fit to occupy the position of prison warders, and who, after passing the ordinary Civil Service examination, would be appointed not to any particular prison, but to the general prison service of the country. He would not, however, press that part of the clause, and would accept the Amendment, as he was quite sure he could get all he wanted without the words being embodied in the Bill. It was obvious that if any body of visiting justices recommended a particular man for the position of prison warder the Home Secretary would only be too glad to avail himself of the recommendation.

Mr. WHALLEY protested against the withdrawal of this Proviso, and the adoption of the Amendment.

Sir ANDREW LUSK did not consider that soldiers would make good warders, and objected to the introduction of military discipline into our prisons.

Amendment *agreed to.*

Mr. LEIGHTON moved, in page 5, line 17, at end, to add

"and shall also report as heretofore to the court of quarter sessions by which they have been appointed."

The intention of the Amendment was to keep the public informed through an unofficial source of the management of the prisons. The publicity hitherto obtained through the quarterly reports of the visiting justices to quarter sessions was taken away by the Bill. He desired to see it restored, so that as far as possible the public might be made co-operators with the Government in the cause of prison reform. Improvements had usually originated from outside. Moreover, the best way of meeting the accusations, frequently unfounded, brought against the Government with respect to the treatment of prisoners, would be to appeal to the report of unofficial persons such as the justices committee. It was the secrecy of the system which gave colour to such charges. As long as a large criminal jurisdiction was imposed upon the local magistrates, they should be kept acquainted with the nature of prison discipline, otherwise they would be scarcely competent to pass just and adequate sentences. Public discussion on this subject in one of the constituted courts of the country, such as the court of quarter sessions, would strengthen the hands of any Government for good and weaken their power for evil.

Amendment proposed,

In page 5, line 17, at end of the Clause, to add the words "and shall also report as heretofore to the court of quarter sessions by which they have been appointed."—(*Mr. Leighton.*)

Question proposed, "That those words be there added."

Mr. NEWDEGATE said, he quite concurred in the object of the hon. Member for Shropshire; but he thought he had overlooked the circumstance that the visiting justices, who hitherto had been responsible to the quarter sessions, would, under this clause, become instruments of the Secretary of State, as the clause stated that they should only exercise their functions as justices in such manner as the Secretary of State should direct. There was nothing in the clause to limit the control the Secretary of State would have over them. They would be responsible to the Secretary of State, and to him, they would, of course, report. He (Mr. Newdegate) saw that it would be unreasonable to make them report to the court of quarter sessions, to which they would no longer be responsible; but he also saw that the system contemplated by the Bill would be one of secrecy, rendering the prisons that would be retained *oubliettes*. Hitherto the reports of the visiting justices had been published in the courts of quarter sessions. There might be objections to a double system of reporting; but there would be none to the publication of copies of the reports made by these justices to the Secretary of State. He should therefore move to amend the proposed Amendment by making it provide instead—"and shall also furnish copies of their Reports to the quarter sessions by whom they are appointed."

Amendment proposed to the proposed Amendment, to leave out the words "report as heretofore," and insert the words "furnish copies of their report," (*Mr. Newdegate,*)—instead thereof.

Mr. ASSHETON CROSS opposed the Amendment, both as it stood originally and in its altered shape. They had, rightly or wrongly, placed these matters in the hands of the Secretary of State, who was responsible to the House, and reports were to be made annually to Parliament on the state of these prisons. The reports of the visiting justices would be simply complaints against the officers of the prison, but would not contain any answer to those complaints. They would contain the charges, but nothing more. The publication of such reports would be unfair and unjust.

Mr. NEWDEGATE was of opinion that if the public were to be informed in regard to the conduct of prison officials there was but one way of doing that—by the publication of reports against these officials. If the House had any hope that this Bill would not give dissatisfaction the original report made to the Secretary of State and the answer he returned should be produced, so that there might be no more secrecy than hitherto. Besides, the sentences pronounced at quarter sessions were not always carried out to the full, any more than those pronounced by the assize courts. This was a necessary incident in the present system of prison discipline which severely tried the prisoners health. There had grown up a system of political trading in the remission of sentences, which this Bill would increase.

Mr. ROWLEY HILL was in favour of the visiting justices being required to report to the authority by whom they were appointed.

Sir WALTER BARTTELOT said, there were many things brought before the visiting justices which it was requisite to keep secret; but there were other matters such as the cleanliness, good order, and discipline in the gaol, as well as whether or not there were any complaints. It should be reported by the visiting justices to the quarter sessions particularly so as the quarter sessions were called upon to appoint the visiting committee of justices.

Mr. DODSON apprehended that unless words were inserted in the Act prohibiting the visiting justices making reports to the body appointing them they would naturally be entitled, and it would be their duty, to do so. At all events, the body appointing might require reports to be made to them.

Mr. PAGET said, under the Bill the Secretary of State would have no power to enforce visiting justices doing their duty, whereas if there was a quarterly report the Secretary of State would have the knowledge that they had or had not. Then, again, these reports would not only be a great advantage, but would give satisfaction out-of-doors. If the House was sitting hon. Members would have opportunities of putting Questions to the Secretary of State with reference to the condition of gaols, &c.; but when the House was not sitting what means would the public have of getting information on such matters, unless the visiting justices reported to the quarter sessions?

MR. PEASE said, there was nothing in the Bill which would prevent the visiting justices from reporting to the quarter Sessions, but there was a clause which required the prison commissioners to report annually to the Secretary of State, and he was to lay their reports before Parliament. He thought the publicity they all desired would be obtained better by the Bill as it stood than by the Amendment.

MR. HARDCASTLE said, that under the clause it was possible for the Secretary of State to order that the visiting justices should not report to quarter sessions but to himself.

MR. ASSHETON CROSS said, he could not possibly prevent the visiting justices telling their brethren at quarter sessions what they saw inside the gaols. No doubt they would have their chatter about the gaols. ["Oh!"] He begged pardon of any hon. Members who were justices for that expression; but what he meant was that while he could not prevent visiting justices reporting what they had seen, he could not sanction a statutory obligation to report to the quarter sessions, for that would imply that the quarter sessions had something to do with the report, which in fact they would not have.

MR. PARNELL said, the great thing was that the reports would be made known in the localities most interested in them. He did not find that the reports made to that House helped them much. They had an illustration in the Bulgarian atrocities. How much would the House have known about these circumstances if there had not been independent information? That was a particular instance of the uselessness of information obtained through official Reports to the House. He hoped the Amendment would be pressed.

MR. HENLEY could not conceive anything which would place a court of quarter sessions in a worse position than that of having a report made to them with which they had no jurisdiction to deal. But a greater objection to such a report would be that, being public, comments in the public Press might be made upon wrong or abuses detailed in it at the very moment when the Secretary of State might have amended what was complained of.

MR. KNATCHBULL-HUGESSEN asked if there was anything in the Bill to prohibit the visiting justices from presenting their reports to the courts of quarter sessions? According to his view nothing could so prevent them if ordered by the court which appointed them. On the other hand, to give them a statutory direction to report to the quarter sessions always when some of their reports might be of a confidential character to the Secretary of State seemed to him unwise. His chief objection to the Amendment, however, was that they were by this Bill taking away from quarter sessions the power of managing the prisons, and they could therefore take no action upon such a report if made to them. As a chairman of quarter sessions he would rather that his court did not receive a report upon which it could take no action.

MR. WHITWELL did not see what would be the use of reporting to a body which would have no power to correct abuses or remedy evils.

MR. NEWDEGATE urged that there was a great deal about these matters which the public ought to know; and there was nothing in courts of quarter sessions—which were still to be entrusted with the administration of justice—that would make them unfit to be the recipients of information which he thought the House would do wrong if it did not insist on their having furnished to them.

SIR ANDREW LUSK thought the Amendment perfectly reasonable, and urged the Government to concede it.

MR. BIGGAR also supported the Amendment.

MR. WHALLEY pointed out that under the Bill the prisons would be placed under the management, to a great extent, of Roman Catholic chaplains, and thought it was therefore of the utmost importance to give the magistrates a controlling power.

Mr. PARNELL stated that the only effect of the Amendment would be to ensure immediate and local publicity to the reports of the visiting justices.

Question, "That the words proposed to be left out stand part of the proposed Amendment," put, and *negatived.*

Question put, "That the words 'furnish copies of their report' be inserted after the word 'also' in the proposed Amendment."

The Committee *divided:* — Ayes 59; Noes 114; Majority 55.—(Div. List, No. 21.)

Clause, as amended, *agreed to.*

PART II.

Supplemental Provisions.

As to Obligation to maintain Prisons.

Clause 12 (Termination of local obligation to maintain prisons) *agreed to.*

Clause 13 (Compensation to be made in place of prison accommodation.)

Mr. FRESHFIELD moved that the time allowed for repaying loans received from the Public Works Loan Commissioners for the purposes of this section should be made 60 instead of 35 years.

Mr. W. H. SMITH submitted that, as 35 years was the limit of the period for which prison authorities could now borrow, 60 years would be a most unreasonable term, seeing that the loans would be made at rates considerably lower than the market rates, and he hoped the Amendment would not be pressed.

Mr. BRISTOWE thought it would tend to a more equitable charge upon property if the term was made longer than 35 years, but that 60 years might be too long.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 6, line 12, to leave out the words "thirty-five," and insert the word "fifty,"—(*Mr. Freshfield,*)—instead thereof.

Question put, "That the word 'thirty five' stand part of the Clause."

The Committee *divided:*—Ayes 86; Noes 74: Majority 12.—(Div. List, No. 22.)

Clause *agreed to.*

Clause 14 (Compensation to be made to prison authorities in respect of accommodation provided for prisoners of some other authority).

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. W. HOLMS moved, in page 7, line 32, to leave out from beginning of Clause to "pounds," in page 8, line 5, and insert—

> "Where, at the passing of this Act, any prison authority has provided more than sufficient cell accommodation for the number of prisoners belonging thereto, there shall be paid to such prison authority, out of money provided by Parliament, one hundred and twenty pounds in respect of each cell over and above the number required for the prisoners of such prison authority."

As the clause stood at present full compensation would be given in some cases and in others it would not. In that respect it appeared to be at variance with the spirit in which the rest of the Bill was framed. In Clause 30, for instance, it was provided that when a prison was discontinued £120 should be paid in respect to the cell accommodation for each prisoner. And by Clause 13 prison authorities having insufficient prison accommodation of their own must pay to the Exchequer for each cell provided for their district the sum of £120.

Mr. ASSHETON CROSS said, it would not be possible to agree to the Amendment for several reasons. Under the Gaols Act the authorities were all bound to have a certain amount of prison accommodation. In this Bill great care had been taken to put this liability at a moderate figure, and taking the daily average the maximum amount of accommodation, and no more, was required. In many gaols provision had been made for more than that maximum, and they had to be locally maintained and kept up, although some portion of the accommodation was useless. Under this Bill the local authority would be relieved from that charge, and it was by no means certain that the State could utilize this spare accommodation; and if it did there would be the cost of removal. The fact was, that the local authorities must take the rough with the smooth, remembering that the State was going to provide all the corn and hay which they would otherwise have to provide for the maintenance of their respective white elephants. At the same time, compensation would be given under the Bill in cases where local authorities had built gaols upon the understanding that they would accommodate the prisoners of a neighbouring authority; or where, having more room than they wanted, they undertook to lodge prisoners from neighbouring towns. He did not think it would be right to go further than by meeting these two cases of hardship, for otherwise the State would be saddled with charges which would make it impossible for the Government to pass the Bill. As it was, some local authorities might not get so much as others, but none would lose; there would be a gain to all.

MR. ROWLEY HILL said, that in his district the local authorities would have to take all the "rough," receiving none of the "smooth." Having a larger gaol than they themselves needed, they took 50 prisoners from Birmingham, but they would now lose the benefit of that revenue.

MR. ASSHETON CROSS said, the Bill would give them the benefit of this contract so long as it existed; and though it might be only a yearly contract, yet, if it were intended to be renewed, that intention would be taken into consideration in estimating the loss suffered by the locality.

MR. ROWLEY HILL thought that the locality in such a case might fairly reckon on receiving from the State £120 for each of the 50 cells which were in excess of local requirements.

MR. HARDCASTLE thought it would be convenient for the Committee to take the discussion at that time, upon an Amendment of which he had given Notice, as it was similar to the one under consideration, while it provided a safeguard against unreasonable demands upon the Treasury, as it proposed—

> "That in case the Prison Commissioners shall report to the Secretary of State that the prison accommodation is in excess of the probable requirements of such district, or that the buildings are dilapidated or unsuitable, it shall be lawful for the Secretary of State to decline to recommend to the Treasury to make such compensation, in whole or in part, as the circumstances of the case may demand."

The right hon. Gentleman had remarked that the local authorities must take the rough with the smooth; but the fact was that the rough fell all on one side and the smooth on the other. The rough fell on those who managed the prisons properly, and handed over the best gaols to the Government. The Government required the cells, but would not pay for them; but while taking the cells they compelled the local authorities to pay for new prisons that would be built in other parts of the country out of the Imperial taxes.

SIR TREVOR LAWRENCE said, it was an injustice that a prison authority should get nothing for unoccupied cells, and he asked for an assurance that the local authority should not, after handing over a prison to the Government, have, under Clause 30, to buy it back at the pleasure of the Home Secretary at £120 per cell.

MR. PARNELL said, it appeared to him that when a good prison had been built it was not right to give the authorities no advantage over the authorities of smaller prisons.

MR. FRESHFIELD said, that his Amendment stood first on the Paper, although the hon. Member went further by his Amendment than he (Mr. Freshfield) did.

THE CHAIRMAN called the hon. Member to Order, and pointed out that the Amendment in question was not that of the hon. Member for Worcester (Mr. Rowley Hill), but of the hon. Member for Paisley (Mr. W. Holms). An opportunity would be given for these remarks subsequently.

MR. FRESHFIELD begged pardon. His Amendment was, however, of the same character as that of the hon. Member for Paisley.

MR. W. HOLMS said, that his referred only to prison accommodation in excess.

MR. FRESHFIELD said, he did not go so far as that. In his borough they had promised extra cell accommodation, and made a contract with other places to take their prisoners. The right hon. Gentleman had really received the £120 referred to from them. What right had the Treasury to make a profit out of the passing of this Bill?

MR. COWPER-TEMPLE said, he did not think it desirable that the State should pay for cells which the Government were not going to use; but, in his opinion, they ought to pay for those which were required for the public service.

Mr. GORST thought the provision for deciding the amount of compensation was of the most inadequate kind. Unless some Amendment should be made in the clause, the Government would be doing a most unfair thing, for they would take the prison accommodation without paying for it.

Mr. NORWOOD said, that he approved of the Amendment of the hon. Member for Lancashire (Mr. Hardcastle). He doubted whether the contracts were, in many cases, definite enough to entitle them to compensation under Clause 14. In the borough which he represented (Hull) £80,000 had been expended in the erection of a new gaol, and the number of unoccupied cells would be about 150. It would be a serious thing if the borough should be deprived of that amount of accommodation without compensation.

Colonel ALEXANDER made a few observations on the matter, with a view, as he said, of saving time when they came to the Scotch Prisons Bill. The county he represented (Ayrshire) had for some considerable time 80 or 90 cells in the county prison in excess of its requirements. The consequence was that the Government had sent them from 50 to 90 Government prisoners in order to fill up the prison, and that was done under a contract. Some time, however, after the introduction of the Bill of last year these prisoners were removed—he would not say *post hoc propter hoc*—and the contract was in that way broken. The county, he held, was entitled to receive £120 from the Government for every cell in excess of their requirements in consequence of the breaking of the contract. He trusted the Government would re-consider the question, and see whether they could not do something in the direction of the course pointed out by the hon. Member (Mr. Holms).

Sir ANDREW LUSK argued that one party to a contract was entitled to withdraw from it as well as another, and expressed a hope that the Government would not give way, take care of the public purse, and not pay for cells which were not required.

Mr. HENLEY said, that the object of this Amendment was to remedy the one-sided arrangement which the Bill proposed. They could not make people believe that it was fair to make one side pay and take a great deal from the other and give nothing. This arrangement would create a great deal of heartburning. He would, therefore, suggest that the Government should have nothing to do either with paying or receiving, but they should take the whole of the prisons into their own hands as they stood. It was, he added, the small boroughs which, generally speaking, would have to pay, and they would be put to considerable inconvenience by an arrangement which seemed to proceed on the principle of "Heads I win, tails you lose."

Mr. DODSON said, he hoped the Government would not be induced to hastily recede from the position they had taken up upon this matter. He thought that the proposition of the Government as it stood was a fair one for the protection of the interests of the public at large. If a prison authority had provided a slight margin of accommodation beyond its actual need it had done no more than its duty, and if any prison authorities happened to have provided a much greater amount of cell accommodation than was likely to be required in the course of several years, he did not see why the country should be called upon to compensate them because they chose to overbuild.

Mr. MUNTZ said, he could not agree with the remarks of the right hon. Gentleman who had just spoken. Suppose the prison authorities in a town of 100,000 inhabitants to have made reasonable provision for the next three, four, five, or even ten years, were they to be mulcted on account of the precaution they had adopted?

The CHANCELLOR of the EXCHEQUER said, the point involved was one of some little difficulty because of the rather complicated nature of the arrangement proposed, the substance of which was that the Government should take out of the hands of the local authorities those prisons which, having built, they had to maintain. Such an arrangement would be very favourable to the local authorities. They were now charged with maintaining a certain number of prisoners, and for the future these would be taken from their hands by the State. Then arose the question with regard to those places in which the prison accommodation required by law had not been provided, and it was said that it would be very hard and unfair that those persons who had not borne their fair share of the burden should be relieved from the charge they were now put to in order to find accommodation elsewhere for their prisoners, they not having complied with the provisions of the law. Well, the Bill provided that such authorities should be charged at the rate of £120 for each cell they ought to have built and had not built. Then came the question as to the local authorities who had provided morethan the law required and had greater accommodation than they could themselves use. If they used that surplus accommodation, it must be by contract or arrangement with other local authorities, or possibly with the Government, and it was but fair that if they were receiving the benefit of those extra accommodations they should be compensated for what they lost, and in respect of the benefit of which they would be deprived. They had expended, perhaps borrowed, a large sum of money to build a commodious prison, and it was not all pure loss, as they received a rent for such portion of it as was not required for their own district. It was perfectly fair that compensation should be made in such cases in respect of the contracts or arrangements made. Such was the intention of his right hon. Friend and the Treasury, and if it was not clearly expressed in the Bill, it ought to be made clear. There remained the case of prison authorities who had built beyond the requirements of their own districts and did not make use of their extra accommodation, and the question was whether they were entitled to compensation in respect of such unused extra accommodation. Well, if the local authority had decidedly overbuilt itself, and provided that which it was not likely to want or to use for a considerable time, it would be difficult to say that they were for that provision entitled to compensation. On the other hand, in the case of a local authority which having regard to the rapid growth of their district had made provision not only for the present time, but for some years to come—there the State would come into possession of a prison which from the accommodation it afforded might save the cost of building another prison. They had therefore to consider a case of equity on the part of the State as well as the case of the prison authority. It was one not free from difficulty, but the difficulty ought to be met in an equitable manner. He did not think, however, that the proposal of the hon. Member for Paisley (Mr. W. Holms) was one which would entirely meet the case. The hon. Member had gone much too roughly to work, and the effect of carrying into effect what he desired would be to land the State in a very considerable expenditure—an expenditure which, in many instances, the State would have no right to bear. On the other hand, there was something in the proposal which his hon. Friend the Member for Lancashire (Mr. Hardcastle) had on the Paper which deserved more careful consideration. It made a distinction between the case in which the local authority made proper provision for its immediate wants and for some time to come, and of the case where the accommodation was unreasonably excessive or unsuitable. The Amendment of his hon. Friend certainly contained one word to which he must take exception, and which he would like to see altered. He thought that in that portion of the Amendment which referred to the number of cells required for "the average daily number of prisoners," the word "average" should be struck out, and the word "maximum" substituted. The substitution was suggested because the local authorities were clearly bound by law to find accommodation for the maximum number. Upon the whole, looking at the matter from an equitable point of view, and considering the position in this matter of the Treasury, the State, and the prison authorities, he should be prepared to accept the Amendment if the change which he had just indicated were made upon it.

Mr. HARDCASTLE said, he had taken the "average" because it was the principle adopted throughout in the Bill, and it should be remembered that the maximum number might have been reached through exceptional circumstances.

Mr. ASSHETON CROSS pointed out that it was not merely the average, but the maximum number of prisoners the local authority was bound to provide for.

Mr. W. HOLMS preferred "average" number to "maximum" number. If the policy of the Government was to undertake the management of the prisons of this country, they ought to take over all the prisons, except those that were dilapidated or unsuitable.

The CHAIRMAN suggested that the Amendment of the hon. Member should be withdrawn, in order that the Amendment of the hon. Gentleman (Mr. Hardcastle) might be put.

Amendment, by leave, *withdrawn.*

Mr. HARDCASTLE moved, in page 6, line 28, after the word "pounds," to insert the words—

> "And where a prison authority has provided a prison of its own more than adequate for the accommodation of the prisoners belonging to such authority, it shall be entitled to receive, out of moneys to be provided by Parliament, compensation to the extent of one hundred and twenty pounds in respect of each cell provided in such prison over and above the number of cells required for the average daily number of prisoners maintained at the expense of such authority in its own prison during the five years immediately preceding the first day of January, one thousand eight hundred and seventy-seven: Provided always, That in case the Prison Commissioners shall report to the Secretary of State that the prison accommodation is in excess of the probable requirements of such district, or that the buildings are dilapidated or unsuitable, it shall be lawful for the Secretary of State to decline to recommend to the Treasury to make such compensation, in whole or in part, as the circumstances of the case may demand."

Question proposed, "That those words be there inserted."

The CHANCELLOR of the EXCHEQUER said, it would be his duty at the proper time to move that the word "maximum" be substituted for the word "average."

Lord FREDERICK CAVENDISH had first an Amendment to propose—namely, to insert the words "not more than" before the words "one hundred and twenty pounds."

Sir TREVOR LAWRENCE said, that if all these provisoes were to be inserted, it would be made so difficult for the prison authorities to get anything, that he doubted whether they would receive any compensation at all.

Mr. ASSHETON CROSS said, the Amendment only applied to gaols kept by the Secretary of State, and not to those which he might take and afterwards give up.

Amendment (*Lord Frederick Cavendish*), by leave, *withdrawn.*

Mr. W. Holms

Amendment proposed to the said proposed Amendment, to leave out the word "average," in line 7, and insert the word "maximum,"—(*Mr. Chancellor of the Exchequer,*)—instead thereof.

Mr. GREGORY doubted whether it would be necessary to retain either the word "average" or "maximum."

Mr. WALTER saw a difficulty in using either word taken by itself. He would suggest, by way of compromise, that the average should be the average of the maximum of the previous five years. If the word maximum were taken, it might destroy the claim of the gaol authorities to any compensation whatever. The Chancellor of the Exchequer had founded his argument in favour of the word maximum upon the fact that it was the duty of the prison authorities to provide as much prison accommodation as was required. But suppose a riot broke out in the neighbourhood. The prison might then be overcrowded, and might not be able to contain the number of prisoners who might be committed. According to the Amendment, the prison authorities were to receive £120 for each cell provided above the "maximum" number of prisoners—that very maximum having been caused by the accidental overcrowding of the prison. He therefore suggested that the average should be fixed on the maximum number of the prisoners maintained during the five preceding years.

Mr. J. G. TALBOT believed it was the duty of a prison authority to provide all the accommodation that could be required in any emergency; and this was done in his own county, so that the prisons were equal to the demands made upon them in the hop-picking season. The Government met them fairly by giving them compensation for all the accommodation beyond their maximum requirements, and this was all they could reasonably expect.

Mr. WHALLEY complained that the House had been misled in passing the second reading of the Bill, as the right hon. Gentleman had now thrown over the calculations upon which he based his case, and the bribe offered to the local prison authorities had been increased at each successive stage of the consideration of the provisions in Committee.

Question put, "That the word 'average' stand part of the said proposed Amendment."

The Committee *divided:*—Ayes 83; Noes 199: Majority 116.—(Div. List, No. 23.)

Word "maximum" there inserted.

Clause, as amended, *agreed to.*

Clause 15 (Allowance to be made to prison authority in respect of uncompleted prison) *agreed to.*

As to Contracts and Debts.

Clause 16 (General saving of rights of creditors) *agreed to.*

Clause 17 (Determination of contracts between prison authorities) *agreed to.*

Clause 18 (Existing debts to be defrayed by prison authorities) *agreed to.*

Clause 19 (Provision as to continuing contracts).

MR. HAYTER moved, in page 8, line 12, at end, to add—

> "and where such contract or dealing shall result in a debt or obligation to be wholly paid or discharged after the commencement of this Act, such debt or obligation shall be paid or discharged out of moneys provided by Parliament."

The object of the Amendment was to supplement what seemed an omission in the clause, which only provided for contracts commencing before and terminating after the commencement of the Act, and which accordingly distributed the obligation between the prison authority and the Imperial Exchequer.

MR. ASSHETON CROSS remarked that the prison authority was bound to provide a gaol free from all obligations or charges, but said that he would look into the matter before the Report, and was willing that, if necessary, the clause should be amended in the direction indicated by the hon. Member's Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

As to Classification and Commitment of Prisoners.

Clause 20 (Confinement of prisoners before and during trial).

MR. H. B. SHERIDAN proposed to add at the end of the clause a series of provisoes to the effect that persons on remand or committed for trial should be subject to such restraint only as was requisite to secure their attendance; that they should retain possession of money, papers, &c., under their control at the time of their arrest, unless the same constituted evidence of the charge; that a schedule of those articles should be made out by the police, and that the counsel of such persons should have free access to them at all times.

THE CHAIRMAN pointed out that the Amendments of which the hon. Member (Mr. Sheridan) had given Notice, although they might be held to be in some degree germane to the subject-matter of the clause, were in fact a series of fresh clauses, and could be more conveniently discussed as new clauses moved at the end of the Bill; but, though the practice was inconvenient of taking such clauses in the middle of the Bill, he considered it his duty, if they were pressed, to put them.

MR. ASSHETON CROSS explained that although he did not think it would be wise to put a set of tabulated rules in such an Act of Parliament, yet he had taken the precaution when he introduced the Bill to insert a clause (Clause 35) enabling the Secretary of State to deal with the matters now in question.

SIR GEORGE BOWYER said, it was a fundamental principle of the law of England that a man was presumed innocent until he was found guilty. This involved a great Constitutional principle that ought not to be left to the discretion of any Minister of the Crown or any one else.

MR. ASSHETON CROSS said, that as to the use of the words "criminal prisoner," they were taken from the Gaol Act of 1865. By the rules laid down under that Act a person was not to be treated as such until after his conviction.

MR. MACDONALD considered the law as it now stood an outrageous attack on the liberty of the subject. Persons charged with offences were detained and subjected to the greatest indignity. As had been clearly shown, a man was bound to be held innocent till he was proved to be guilty. In this country he was really treated as guilty till he proved that he was free of crime. He held that mere detention was all that the Government could fairly claim. Why should a man be deprived of light and heat because he was charged with an offence? Why should he be compelled to sleep on boards or be degraded in any way? The time of the person charged was in many instances valuable to him. Was it not sufficient to make him lose that without any remedy? On the other side of the Atlantic such persons enjoyed every comfort and convenience they desired. He thought the Committee was much indebted to the hon. Member for Dudley for moving this Amendment, and others in the same direction, which he hoped the hon. Member would press to a division.

Dr. KENEALY said, he quite agreed with the remarks of the hon. Member for Stafford (Mr. Macdonald). It was a scandal and a disgrace to the law of the country that a man should be treated as a prisoner whilst yet unconvicted of crime. There was no such term known to the law as "criminal prisoner" to denote a prisoner not convicted of crime, and it was not because they slipped, inadvertently no doubt, into the Act of 1865, that they should be continued now. The Home Secretary proposed to have power to frame rules for these purposes, but it was to be at his discretion, and to that he objected. He hoped the utmost resistance would be offered to this Bill of despotism and centralization, which was in distinct violation of our ancient privileges, for which the Home Secretary, though a learned lawyer, did not seem to have much respect.

Mr. ASSHETON CROSS thought that if hon. Members would look at the Schedule of the Act of 1865 they would find that a good deal of misapprehension existed on this subject. There were rules given in that Schedule with regard to the treatment of unconvicted prisoners. It was there laid down that such prisoners were to be kept, before trial, apart from the other prisoners; that they were to be at liberty, under certain restrictions, to procure food, clothing, and other necessaries for themselves; that they might, if they so desired, wear a prison dress, and might be required to do it if their own was insufficient, but such dress was to be of a different colour from that of the convicted prisoners; and that they were to have the option of working, but were not to be compelled to do any labour with the exception of cleaning their own cells, which, however, they might employ some one else to do, and as to most of the prisoners it must be borne in mind that they were of a class who thought the work of cleaning no hardship. There were rules also to the effect that due provision should be made for the admission of visitors, and for enabling the prisoners to carry on correspondence, regard being always had to such restrictions as the interests of justice rendered necessary. What he now wanted to do was to relax some of the rules, and this he would have power to do under Clause 35.

Mr. GOLDSMID urged that the right hon. Gentleman should follow the precedent he had referred to himself — namely, the Prisons Act, and embody in a Schedule to this Bill his amended rules for the treatment of prisoners before trial. That would be much better than that he should take the power to make what regulations he pleased without reference to Parliament. There was no matter on which there was a stronger feeling out-of-doors.

Mr. Serjeant SIMON said, everybody gave the right hon. Gentleman credit for his desire to pass a just and equitable measure, but this was a matter which should not be left to the wisdom, or it might be to chance or the caprice of prison authorities. He, therefore, agreed with the remarks that had just been made. He remembered the case of a gentleman—a clergyman from Germany, a few years ago, who was charged with a murder upon evidence of the most unreliable kind, and which was completely disproved. Yet that gentleman, who was not even committed for trial, but only remanded while the inquiry was going on, had been subjected to the grossest indignities. All this had been done with these rules in existence, and what might not be done without rules? [Mr. Assheton Cross: You may appeal to Parliament.] Yes, undoubtedly; and what would they get by it? They would have to wait until the whole thing had passed from memory, and at best be content with an explanation from a Home Secretary, but as to redress there would be none.

Sir GEORGE BOWYER suggested that the term "criminal prisoner" ought not to be allowed to remain, when the persons to whom it was applied were in many cases not criminals. It was all very well for the Home Secretary to say they might buy what comforts they wished; but how about those who were unable to do so?

MR. J. COWEN said, they treated political prisoners with greater harshness than any other nation of Europe did. The hon. Member for Limerick (Mr. O'Sullivan) had been arrested on suspicion and detained for some months on suspicion of Fenianism, and was then discharged. He was handcuffed for some days, however.

MR. W. GORDON said, that question was not the one before the House. Under the 35th section the Secretary of State had the power to do certain acts, but they must be in mitigation of the former statute.

COLONEL MURE said, that the rules of the Act of 1865 had been found insufficient to protect unconvicted prisoners from great suffering and abuse. As rules had been laid down in the Act of 1865, would it not be right to introduce better rules in the Bill now under discussion?

MR. PAGET pointed out that in the first schedule of the Prisons Act of 1865 it was distinctly laid down that no prisoners should be put in irons except in cases of "urgent necessity." No Act of Parliament could say more than that, and he hoped, therefore, that the right hon. Gentleman would not attempt to lay down any rule in this Act for the treatment of prisoners.

MR. GOLDNEY thought it inexpedient to re-enact the hard-and-fast lines that used to tie the hands of the Home Secretary.

MR. DILLWYN hoped that the rules would be put in the Schedule. He objected to discretion being given to the Home Secretary with regard to the treatment of criminals.

MR. WHALLEY moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Whalley.*)

MR. ASSHETON CROSS called the attention of the Committee to the fact that hon. Members had not been discussing the Amendment of the hon. Member for Dudley (Mr. Sheridan), but whether certain rules should be put into the Schedule or not. The rules of 1865 were very carefully drawn up, and he was not asking for the slightest additional power. He would recommend the hon. Member for Dudley to adopt the recommendation of the Chairman and withdraw his Amendment, in order to bring it in at a subsequent time.

MR. WHALLEY said, he rose to Order. They were not discussing the question before the Committee, but another question.

THE CHAIRMAN said, the Question before the Committee was that the Chairman report Progress, and ask leave to sit again.

MR. H. B. SHERIDAN said, that however mild the rules might be when they were read, yet in actual practice they were very harsh. He would read an extract from the leading journal, *The Times*, upon the treatment of Dr. Hessel, who was some years ago subjected to the indignity of a convicted offender on a charge of murder, although nothing had been proved against him. The hon. Member was proceeding accordingly, when—

MR. J. G. TALBOT asked whether an hon. Member was in Order in reading from a newspaper?

THE CHAIRMAN said, an hon. Member was not strictly in Order in reading from a newspaper, but Members were allowed to read extracts from books, newspapers, and other documents.

MR. H. B. SHERIDAN would remind the House that Dr. Hessel, on very slight evidence of identification, was subjected to the degradation of a criminal. He was stripped, washed, searched, put into a cold cell, supplied with a board for his bed and another for his chair, and was obliged to wash and scrub his cell.

MR. WHALLEY said, that if the debate were adjourned he would prove that the Secretary of State had refused to relax the rule in the case of a very notable prisoner. He was prepared to show that in that case measures were taken to prevent that man preparing his defence. [*Cries of* "Name."] The person he referred to was one of the witnesses in the Tichborne trial, and he charged the Judge who tried that man with partiality in a corrupt administration of justice. ["Oh, oh!"]

COLONEL MURE rose to Order. He desired to know whether the hon. Member was in Order in charging Mr. Justice Brett with corruption and partiality in the administration of justice on a Motion to report Progress?

Dr. KENEALY submitted that in that House any hon. Member was entitled to challenge the public conduct of any paid officer of the Crown.

The CHAIRMAN observed that he understood the hon. and gallant Member had risen to Order in consequence of the observations which had been made being irrelevant to the Motion to report Progres. If his opinion were asked whether an hon. Member was entitled in his place to challenge the conduct of any public official he was bound to say that he knew of no rule to prevent it; but he must add that the observations made were not relevant to the Question before the Committee.

Mr. WHALLEY said, he did not wish to impute anything, personal to Mr. Justice Brett. He was when called to Order quoting from a letter he had written to the Secretary of State, in which, as a magistrate and a deputy-lieutenant for three counties, he stated that either the Judge was not entitled to public confidence or he (Mr. Whalley) was not fit to be a magistrate.

Sir WILLIAM FRASER thought the opportunity a fitting one to deal with this question, and he hoped a clause would be inserted in the Bill which would afford a distinct amelioration of the treatment of unconvicted prisoners under remand.

Mr. ASSHETON CROSS suggested that the hon. Member for Dudley should lay on the Table, in the form of a Schedule to the Bill, the regulations which he thought should be established for the treatment of unconvicted prisoners.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. PARNELL objected to the House being called upon to go into Committee after half-past 12 o'clock. He thought that no Business ought to be taken after that hour, and begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

The CHANCELLOR of the EXCHEQUER explained that the Bill was simply formal.

Mr. BIGGAR said, he objected to the system of taking Business after half-past 12. He had no objection to the Committee being taken; but he wished an understanding to be arrived at under which Members might be allowed to go home after half-past 12.

Mr. PARNELL said, he would withdraw his Motion, but he thought the Bill might have been put on the Paper earlier and taken before this hour.

Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Ways and Means—*considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1877, the sum of £350,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow;*

Committee to sit again *To-morrow.*

OPEN SPACES (METROPOLIS) BILL.

(*Mr. Whalley, Mr. Morgan Lloyd, Sir George Bowyer.*)

[BILL 62.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Whalley.*)

Mr. PARNELL said, that it was too late to go into Committee then, and begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

Mr. O'SHAUGHNESSY said, the measure had passed a second reading, and was a Bill which did not affect the Irish Members at all. He thought it was a good Bill for the metropolis, and hoped the Motion for Adjournment would not be persisted in.

MR. MELDON said, it was utterly impossible for any private Member to get a Bill through, however important. If any large number opposed it of course it would not proceed; but if only one Member did he thought it ought to be allowed to go on.

MR. J. COWEN thought that they were pressing the Rule too harshly. He hoped the Amendment would be withdrawn.

MR. ASSHETON CROSS observed, that the Bill was a very simple one, and was likely to work beneficially in the case of a large number of people. He hoped it would be allowed to pass through Committee. It would only take a few minutes.

Motion, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee, and *reported;* as amended, to be considered *To-morrow.*

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, 2nd March 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Exoneration of Charges* (16); Contingent Remainders* (17); Bankruptcy Law Amendment* (18).

EXONERATION OF CHARGES BILL [H.L.] (NO. 16.) A Bill to amend the Acts 17th and 18th Vict. chap. 113. and 30th and 31st Vict. chap. 69.; And also,

CONTINGENT REMAINDERS BILL [H.L.] (NO. 17.) A Bill to amend the Law as to contingent remainders:

Were severally *presented* by The LORD CHANCELLOR; read 1ª.

BANKRUPTCY LAW AMENDMENT BILL [H.L.] A Bill to consolidate and amend the Law relating to Bankruptcy—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 18.)

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 2nd March, 1877.

MINUTES.]—WAYS AND MEANS—*considered in Committee—Resolution* [March 1] *reported.*

PUBLIC BILLS—*Resolution* [March 1] *reported—Ordered—First Reading*—Consolidated Fund (£350,000)*.

Ordered—First Reading—Assistant County Surveyors (Ireland)* [106].

Select Committee — Ecclesiastical Offices and Fees* [12], *nominated.*

Committee—Report—Forfeiture Relief* [60].

LONDON, BRIGHTON, AND SOUTH COAST RAILWAY (VARIOUS POWERS) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. SHAW LEFEVRE, in moving that the Bill be read a second time that day six months, said, he did so on the ground that it proposed a serious interference with Mitcham Common. Some nine years ago the House had given the promoters of railway schemes proposing to appropriate portions of the commons near London, a salutary lesson by refusing, in several instances, to read their Bills a second time, and from that day till now there had not been a single proposal of this kind; but either those lessons had been forgotten, or a new generation of railway engineers had sprung up who were not aware of the fact. He asked the House to give railway companies of the present day a similar lesson; and he was sure, if it did so, that nothing would be heard for many years to come of valuable lands near the metropolis, which were used as recreation grounds by the people, being encroached upon in such a way. There were two private Bills before the House this Session proposing to cut up commons in the neighbourhood of London, and also schemes for turning parts of both Mitcham and Barnes Commons into sewage farms. That, he thought, was an additional reason for having recourse to the policy he proposed. In the case of Mitcham Common, it might be said by the promoters of the scheme that the Common was not much frequented; but the railway companies thought differently, for those companies had recently let out their bridges already existing upon the Common to advertising agents, and soon they would be covered with advertisements. What the London, Brighton, and South Coast Company proposed to do was to make a short cut across the Common, which would absorb eight acres of land and inclose about 12 acres more between their lines, and cut them off from the rest of the Common; this would seriously endanger the best part of the Common, if not practically destroy its use. Mitcham Common was only 7½ miles from the centre of London, and was one of the most useful commons within reach of the metropolis. It was very much frequented on holidays by people coming from London. No doubt he might be asked why should not the Bill be sent to a Select Committee? The reason why not was this—Neither a member of the public, nor the Metropolitan Board of Works, as the representative of the public, would have a *locus standi* before a Select Committee. Mitcham Common was not within the limits of the metropolitan area. Only some one whose property was proposed to be taken would have a *locus standi* before a Select Committee, and, therefore, any opposition must come from residents in the vicinity, but there were only a small proportion of those who would be affected by the scheme. It might also be said by the company that the present curve was dangerous. He had himself seen express trains rounding it within a few days at a speed of 15 or 20 miles an hour, and he believed that no accident had occurred there since the existence of the line; but if they thought that, surely there were other means of making alterations than by this scheme. If the company would withdraw that portion of the Bill which referred to Mitcham Common, he would not object to the other portions. The hon. Gentleman concluded by moving his Amendment.

Sir HENRY PEEK, as Representative of that part of the county, seconded the proposal for the rejection of the scheme, which was opposed by many residents in the neighbourhood. Instead of, as had been alleged, trains being restricted to 15 miles an hour for considerations of safety, double that speed was not infrequent.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Shaw Lefevre.*)

Mr. LAING explained that the Bill was an omnibus Bill, comprising a variety of small objects, among which was a scheme which the company proposed to carry out at a cost of £150,000, not for their own pecuniary benefit, but for the safety and convenience of the public. The line at that part was at present very dangerous, entering the Common and leaving it by equally sharp curves. It was on a similar curve on the level that accidents were continually occurring. It had been said that several of the residents petitioned against the Bill; but a meeting was held the other day, presided over by a gentleman who, he believed, was opposed to the scheme, and a Petition in favour of the scheme was drawn up and signed by an equally great number as had objected to it. Indeed, he believed that when the matter had been explained to them several of those who had been opposed to the proposal turned completely round. It had been said that the Company refused to hear witnesses against the Bill; but with regard to a Petition which had been lodged by the vicar, churchwardens, and residents of the district praying to be heard by counsel against the Bill, he was prepared to pledge himself on behalf of the Company that no opposition would be made to the *locus standi* of those parties. Under these circumstances, he must protest against the House deciding the question upon a canvas instituted out-of-doors, instead of allowing the Bill to go before a Committee upstairs, by whom it would be decided upon its merits.

Mr. COWPER-TEMPLE opposed the second reading of the Bill. He said, railway companies were tempted to take commons in preference to private lands defended by owners. The public who used them for recreation could not appear before a Committee, and could get no redress unless the House would consider the case of the public on the second reading. The convenience sought for the railway was not commensurate with the amount of injury inflicted, and might be secured in another way.

Mr. RAIKES said, that he should be the last man to alienate a recreation ground near the metropolis from the public, and though the opposition to the Bill in a certain sense was based upon public grounds, so far it was right; but he confessed that the hon. Gentleman who had proposed the rejection of the Bill (Mr. Shaw Lefevre) had not convinced him, or made out a case which would justify the House in proceeding to extremities. The wisest course would be to allow the Bill to go to a Select Committee where its merits would be dispassionately discussed. The principle laid down for the rejection of the Bill was a very dangerous one. It was that commons were to be treated as *sacro sancti* land—a theory which attached to no other description of property in the country; and they were called upon to do for this Common what they would refuse to sanction if it were proposed with reference to churches, schools, or any other kind of public or private property. Moreover, it was to be borne in mind that the necessities of the metropolis were pressing, and that the Railway Company ought to heard in explanation of their position, especially as they urged that they had a good case to submit. The present line was a dangerous one, which it was proposed under the Bill to alter and improve, and the question could be fairly fought out between the gentlemen commoners whose rights were involved and the Railway Company before a Select Committee. They were practically asked to say that they would not allow any metropolitan company to cross any common in the vicinity of London. It was said by the opponents of the Bill that this was a poor man's question; but it seemed to him that those who wished the scheme rejected were mainly the respectable residents. Finally, he hoped the House would refuse to listen to the opposition, because, if this were a new line and its promoters proposed to lay down a sharp curve on the level, such as existed at Mitcham, he would insist upon the clause being taken out of the Bill.

MR. FAWCETT denied that those who opposed the second reading of the Bill wished to lay down any such principle as had been referred to by the hon. Gentleman the Chairman of Committees; and if the House was not to oppose second readings of Bills of this character, its being asked to read Bills a second time was a mere farce. It was said that the opponents of this Bill held peculiar views. He had listened to hear what those peculiar views were, and he discovered that the public had a valuable right and interest in these commons. That was all they contended for. If this Bill were simply dealing with the property of private persons, he should not for a single moment oppose the measure, but that was not the case here. It was not simply a question of opposition of the 57 private gentlemen-commoners who resided in the neighbourhood, for the Bill affected the whole of the metropolis of the present day and those of all time hereafter, and however magnanimous it was in the Chairman of this Railway Company to offer to give any of these residents permission to be heard by the Select Committee, he maintained that the public had no *locus standi* before such a Committee, and they, after all, were the parties most directly interested in the rejection of the scheme. He did not wish to throw any obstacles in the way of the Railway Company carrying out any necessary improvement for the benefit of the public, but it had not been shown that if these schemes were rejected the Company could not equally well attain their object by other means. When, however, he came to another consideration, a great deal of light was thrown upon the proposal. The Company proposed to absorb eight and a-half acres of valuable ground near the metropolis, within eight miles of Charing-cross, and what compensation did they offer? Why a paltry £1,000. That, in his opinion, exposed the whole secret of the thing. If the Company had carried their line across the property of private persons they would have to pay as much as 5, 6, or even £7,000 an acre for the ground, and he hoped the House would not encourage the proposal.

SIR CHARLES ADDERLEY said, he did not see any reason for treating the Bill in an exceptional manner to those generally brought before the House. The Bill proposed to deal with a most objectionable, if not a dangerous level-crossing which was on a common, and that crossing must either be dealt with in the manner proposed or not at all, and the Bill must be discussed with that view. It would be most exceptional if upon a point of the kind urged by the opponents of the Bill they were to refuse it a second reading.

Mr. CUBITT said, he was in the habit of travelling by this railway, and, in the interests of many of his constituents, he felt bound to say that the present arrangements involved considerable danger to travellers. He should vote, therefore, for the second reading, as the question was one which ought to be decided, not by the House, but by a Select Committee.

Mr. R. SMYTH observed that there existed at least one case—that of the Northern Railway of Ireland Bill of last Session—in which a Railway Bill had been rejected on second reading.

Mr. HERMON must, if there was a division, vote against the second reading, because the Company did not propose to restore any of the ground which they had already taken away by their encroachment on the Common.

Sir JOSEPH M'KENNA observed that the Northern Railway of Ireland Bill was allowed to go before a Select Committee, and was afterwards rejected on the third reading.

Mr. R. SMYTH adhered to his statement that the Irish Bill to which he had alluded was refused a second reading by that House.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 143; Noes 100: Majority 43.—(Div. List, No. 24.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

MERCANTILE MARINE—LIGHTHOUSE IN MORTE BAY.—QUESTION.

Mr. MORLEY asked the President of the Board of Trade, If it is a fact that the Corporation of the Trinity House has decided to erect a Lighthouse on Bull Point, in the Bristol Channel; if it is a fact that the Nautical and Mercantile authorities, the Dock and Harbour Boards and the Channel Pilots have strongly recommended that such Lighthouse should be erected on Morte Stone in preference; if it be a fact that the shipping interest has expressed its willingness to pay the higher rates of toll which might be rendered necessary by the larger expenditure on the erection at Morte Stone, the Board of Trade having raised no objection to the large outlay; and supposing the facts to be as above stated, would the President of the Board of Trade use his influence to have the decision changed?

Sir CHARLES ADDERLEY: It is the fact, Sir, that the Corporation of Trinity House have decided to erect a lighthouse on Bull Point in the Bristol Channel. The Chambers of Commerce at Bristol, Cardiff, and Southampton, the Bristol Docks Committee, and the shipping interest at Bideford, have expressed an opinion to me that Morte Stone is a preferable site; but no other Bodies, as seems suggested in the Question. The shipping interest represented by the Bodies I have named, are willing to pay the higher rate of tolls which will be necessary if Morte Stone were adopted; but they represent a comparatively small proportion of the entire trade who will have to pay light dues for this light. The Board of Trade were distinctly told by the Elder Brethren that even if they had approved the larger expenditure, the Trinity House would nevertheless adhere to their selection of Bull Point as the site which in their opinion is the best, both for outward and homeward bound ships. The Board of Trade have no power to interfere with the Trinity House in their selection of sites for lighthouses, or to impose plans upon them; and I therefore cannot undertake to use influence which I do not possess. I will only say that I know that the Trinity House, who are unexceptionable judges of a question like this, have taken every means of judging fully and fairly in this case.

Mr. MORLEY gave Notice that he would, on a early day, call the attention of the House to the subject.

CONSTABULARY (IRELAND) — ASSISTANT INSPECTOR GENERAL.

QUESTION.

Mr. WHALLEY asked the Chief Secretary for Ireland, with reference to the appointment of Mr. Fanning to the office of Assistant Inspector General of Police in Ireland, Whether it is the fact that Mr. Fanning, being a Roman Catholic, was so appointed over the heads of no less than fourteen inspectors who were Protestants, all of whom were his seniors in the service?

Sir MICHAEL HICKS-BEACH: Sir, I believe it is the fact that Mr. Fanning, who has been appointed to the office of

Assistant Inspector General of Constabulary in Ireland, is a Roman Catholic, and that at the time of his appointment there were 14 officers senior to him in the Force, two of whom were also Roman Catholics. The promotion to the office in question, however, does not depend on seniority, and Mr. Fanning was specially recommended for it by both the present and the late Inspector General on the ground of merits alone, and the qualifications both of Mr. Fanning and of the officers senior to him were carefully inquired into by the Government before the appointment was made.

TREASURY SOLICITOR ACT, 1876 — ESTATE OF THE LATE MR. W. PATERSON.

QUESTION.

MR. GRIEVE asked the Secretary to the Treasury, Whether there has ever been a case in Scotland (before the present case of Paterson) in which the Treasury has retained and appropriated the whole estate of an intestate bastard, when there has existed either a written statement of his intentions regarding the disposal of his estate after his death, or persons who, had he been legitimate, would have been his blood relations?

Mr. W. H. SMITH, in reply, said, he was not aware of any such case having occurred. It was not the case with the Paterson estate. There was no statement of the intentions of the deceased, nor had the Treasury retained the whole of the estate.

TURKEY — THE BULGARIAN MASSACRES.—QUESTION.

MR. RYLANDS asked the Under Secretary of State for Foreign Affairs, with reference to the Despatch, under date of July 28, 1876, from Prince Gortchakow to Count Schouvaloff, in which the following passage occurs, viz.:—

> "Our Acting Consul at Philippopolis informs us, under date of 20th of July, that the English Commission charged with an inquiry into the Bulgarian massacres has returned to that town, after visiting a great number of villages. The data it has collected entirely confirm the facts mentioned in the reports of our Agent, and which were always communicated by General Ignatiew to his colleagues, including the English Ambassador,"—

whether there are any Papers showing the dates upon which information was given by General Ignatiew to Sir Henry Elliot of the Reports of the Acting Russian Consul at Philippopolis in relation to the Bulgarian massacres, or any Papers particularising the facts contained in the Reports of the Russian Consul so communicated to Sir Henry Elliot; and, if so, whether he will lay such Papers upon the Table of the House?

MR. BOURKE: Sir, in answer to the Question of the hon. Member for Burnley, I have to state that there are no Papers at the Foreign Office of the nature referred to in the hon. Member's Question. I think that is a complete answer to the Question; but it may be convenient to add that the hon. Member will find in one of the Blue Books presented last year a despatch from Sir Henry Elliot on this subject. It is on page 144 that this occurs.

MR. RYLANDS: What is the date?

MR. BOURKE: I do not know the date, but the despatch will be found there, and the passage to which I refer is this—

> "The movement has no political character whatever, having been got up by the workmen, amongst whom are many foreigners, especially Italians, employed on the railway. I consider that too much importance should not be attached to the movement."

TURKEY—OUTRAGES IN BULGARIA—ACQUITTAL OE TOSSOUN BEY.

QUESTIONS.

MR. MUNDELLA asked Mr. Chancellor of the Exchequer, If it is true, as stated in the "Times" of this day, in the letter of the correspondent at Philippopolis, that Tossoun Bey and his accomplices, charged with the massacres and burnings at Klissoura and elsewhere, have been acquitted; whether Mr. Baring has quitted Philippopolis, and will no longer attend the trials; and, if so, when and for what cause; and, whether any reports on these trials and on the present condition of Bulgaria have been received by the Government; and, if so, whether they will be at once communicated to the House?

THE CHANCELLOR OF THE EXCHEQUER: It is true that Tossoun Bey and eight other persons who were put upon their trial on charges connected with the outrages in Bulgaria, have been acquitted by the Commission by which they were tried, four members voting for their acquittal, and two against it. Upon that Mr. Baring stated that he considered the decision objectionable, and contrary to the evidence, and declined to attend any more sittings of the Court. He then withdrew. He communicated with Mr. Jocelyn, our Chargé d'Affaires at Constantinople, who directed him to return to Constantinople. I believe he has done so, and his conduct has been approved by the Government. I believe it is not probable that there will be any more trials, but I am not quite able to say. Reports on the subject have been received, and in due time they will be laid on the Table of the House, but I am unable to say how soon.

Mr. H. B. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether any, and, if so, what punishment has, up to the date of the latest information on the subject, been inflicted upon Shefket Pasha, Hafiz Pasha, Tossoun Bey, Achmet Agha, and the other Turkish officials, whose cruel conduct in Bulgaria was denounced by Mr. Baring; and, if not, whether it is the intention of Her Majesty's Government again to demand their punishment, in accordance with the terms of Lord Derby's Despatch to Sir Henry Elliot, dated September 24, 1876?

Mr. BOURKE: In reply to the hon. Member, I have to state that Her Majesty's Chargé d'Affaires at Constantinople has been instructed to furnish full details in this matter, and that Report we expect to be furnished in the form suggested by the right hon. Gentleman the Member for Greenwich. We expect the information in a few days. According to the last Reports it is understood that the sentences pronounced by the Commission are awaiting confirmation by the Porte. With regard to the second part of the Question, I have to state that Her Majesty's Government have frequently urged upon the Porte the punishment of those who have been found guilty of taking part in these transactions.

Mr. RYLANDS said, the date to which he referred was May 7, long before the massacres at Klissoura, and he asked, Whether, as Sir Henry Elliot was in this country, the Government would obtain information from him as to the important statement in question?

Mr. BOURKE: That is not a Question which I can answer off-hand, without consulting my noble Friend the Secretary of State; but I hope to be able to answer the Question in a few days, if the hon. Member will be good enough to repeat it.

ARMY RECRUITS.—QUESTION.

Mr. ANDERSON (for Mr. J. Holms) asked the Secretary of State for War, How many recruits were enlisted over twenty-five years of age from the 1st of June to the 31st of December, 1876, in accordance with the General Order issued on the previous date; and, how many infantry recruits under 5 feet 5 inches were enlisted from the 24th of October to the 31st of December, 1876, in accordance with the General Order of the previous date?

Mr. GATHORNE HARDY, in reply, said, that he had written to the hon. Member for Hackney (Mr. Holms), saying that it was impossible to have the Return ready that night, but that it would be prepared as soon as possible.

THE WAR OFFICE—REPORT ON SANITARY STATE.—QUESTION.

Mr. KAY-SHUTTLEWORTH asked the First Commissioner of Works, What steps are being taken to carry out the suggestions of the Commission on the sanitary state of the War Office, suggestions which they state "if carried out, will, in our opinion, only mitigate evils, not remove them;" and, whether, considering that Sir William Jenner and the other Commissioners express that opinion, and further declare "that by no alterations can the building be rendered sanitarily satisfactory," but that its "salient sanitary defects" are "inherent to its structure, and cannot, we believe, be so effectually removed as to render possible the retention of the present War Office," Her Majesty's Government have any scheme under consideration for the erection of a new War Office?

Mr. GERARD NOEL, in reply, said, that plans and estimates were being prepared with a view to carrying out the recommendations of the Committee, and that whenever they were ready they would be sent to the Treasury for sanction and approval. When that approval was obtained, every effort would be made by the Board of Works to give as speedy effect as possible to the recommendations.

The erection of a new War Office would be a very formidable undertaking, and he feared he could not at present give any definite answer to the second part of the Question.

RAILWAY COMMISSION — APPOINTMENT OF MR. A. E. MILLER, Q.C.

QUESTION.

Mr. KNATCHBULL-HUGESSEN asked the Secretary of State for the Home Department, Whether the vacancy caused by the death of Mr. Macnamara has yet been filled up by the appointment of a third Railway Commissioner?

Sir HENRY SELWIN-IBBETSON, in reply, said, that—as would be announced in *The Gazette* of that evening—Mr. Alexander Edward Miller, Q.C., had been appointed to fill the vacancy.

THE ARCTIC EXPEDITION—THE MEDICAL OFFICERS.—QUESTION.

Captain PIM asked the First Lord of the Admiralty, If the three medical officers who were promoted from the late Arctic Expedition, were so promoted on the recommendation of the Director General of the Medical Department of the Navy; and, if not, whether any reference was made to that officer before such promotions were made, and why Fleet Surgeon Colan, the senior medical officer, was not included in those promotions; and if it is his intention to bestow any reward on that meritorious officer?

Mr. HUNT: Sir, I am sorry that I must decline, on general principles, to satisfy the curiosity of the hon. and gallant Member. Promotions in the Navy are made upon the responsibility of the First Lord, and he consults those whom he may think proper upon the subject. The latter part of the Question seems to imply ignorance on the part of the hon. Member, that the rank immediately above that of Fleet Surgeons is limited as to numbers by an Order in Council, and that no promotions can be made to it except in case of vacancies.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

INTERNATIONAL MARITIME LAW — THE DECLARATION OF PARIS, 1856.

RESOLUTION.

Mr. PERCY WYNDHAM, in rising, pursuant to Notice, to bring before the House the subject of the Declaration of Paris, and to move—

> "That the object of the Declaration of Paris respecting Maritime Law, signed at Paris on the 16th of April 1856, was, as was expressed in the preamble, to endeavour to attain uniformity of doctrine and practice in respect to Maritime Law in time of war; that it is moreover obvious that the whole value that might be supposed to attach to any such Declaration, as changing the ancient and immemorial practice of the law of nations on the subject, must necessarily depend on the general assent of all the Maritime States to the new doctrines; that the fact of important Maritime Powers, such as Spain and the United States, having declined to accede to the Declaration of Paris, deprives that document of any value as between the Governments who have signed it; that the consequence of some powers adhering to the new rules, whilst others retained intact their natural rights in time of war, would be to place the former at a great and obvious disadvantage in the event of hostilities with the latter; that Great Britain being an essentially Naval Power, this House cannot contemplate such an anomalous and unsatisfactory condition of international obligations without grave misgivings; that, independently of all other considerations, the failure, after twenty years negotiations to bring about general adhesion to its terms, necessitates the withdrawal of this Country from what was necessarily and on the face of it a conditional and provisional assent to the new rules; that this House, whilst desiring to leave the question of opportuneness to the discretion of Her Majesty's Government, and having confidence in the repeated declarations on the subject of individual members of the present administration, think it desirable to record an opinion that no unnecessary delay ought to take place in withdrawing from the Declaration signed at Paris on 16th of April 1856, on the subject of Maritime Belligerent Rights,"

said, that he did so on general grounds, quite irrespective of the fact that the alternative of peace or war was at that moment trembling in the balance. The experience of hundreds of years had shown conclusively that the only way in which a maritime nation could wage war effectually was by the destruction of the commerce of its opponents. When the armies of Germany marched through France they carried desolation through the length and breadth of the land; but when the great naval victories of the Nile and Trafalgar were fought, the effect was not felt by the inhabitants of France; it was only by the utter suppression of their trade, that England could bring home to her enemies how tight her grasp could be in war. It was related that when the great Napoleon caused orders and medals to be issued to commemorate his great victories, a design was shown to him representing the English leopard expiring in the grasp of the French eagle, and that he ordered the designer out of his presence, asking him how he could so insult him, seeing that he could not send a small cruiser out of one of his ports, without its being liable to be captured by a British ship. Now-a-days, however, all danger to French commerce might be avoided by the simple process of transferring it to neutral bottoms, in the event of our being at war with that country; and what he was about to contend for was, not the prevention of the trading with a belligerent, but for a belligerent, and thus saving the weaker belligerent from the consequences of the disadvantages under which he would otherwise labour. In dealing with the subject, he was afraid he would be obliged to go far back into history, and he ventured to say a great deal of misapprehension would be found to have gathered round if it were only examined in an impartial spirit. That had happened which ever happened when any question, either in science or politics, was settled definitively, or for a time—namely, that all the arguments that had ever been put forward in its favour were then assumed to be true, and that those who took the opposite view did not think it worth while to defend the outworks when the citadel was lost. When, however, the time arrived to re-open the question, and he was not only referring to the Motion before the House, but to the interest, not wide-spread he would admit, but thoroughly genuine, which it had excited in the country, it was necessary to challenge assertions that had been made on this subject in former debates in that House and "elsewhere." The contention that there was a certain *consensus* of the Treaties made by this country, and by Europe generally, dating from very early times, pointing to a change in the Law of Nations on this question could not be substantiated. The doctrine of a neutral flag covering cargo was, he believed, in its present significance of comparatively modern origin, and was not in former times in the minds of men who wrote on the subject, and put their hands to Treaties. The mistake had arisen from losing sight of the fact that similiar phrases had different significations at different periods of time. The first great authority on the law of the question was the *Consolato del Mare*, a code of law dating from the 11th century, which, however, could not be condemned as a mere relic of barbarism, as the fact, that most of its enactments had survived all the changes and improvements in European jurisprudence, and remained to this day part of the Maritime Law of Nations, was a sufficient proof that it was founded on wisdom and justice. The rule of the *Consolato* was that the goods of enemies might be taken from the ships of friends, but it did not permit the ship of the friend to be confiscated or burnt because it had enemies' goods on board; it also decreed that the goods of friends were sacred, though found in enemies' ships. All the old Treaties that had been from time to time cited as embodying the New Rule, without exception, went no further than this—namely, that they supported the rule of *Consolato*, against those who would push the right of the belligerent much further than the *Consolato* admitted, to the length of burning the ship of the neutral found carrying enemies' goods, and confiscating the goods of neutrals if found in the bottoms of enemies. Of writers who lived before the close of the last century it would be found that Grotius, Albericus Gentilis, Puffendorf, Bynkershoek, Heineccius—were ranged on one side, opposed to them being Hubner and Schlegel. The first Treaty mentioned by Schlegel was entered into in the middle of the 14th century, and had nothing to do with the question now before the House. The next Treaty to which he referred was that between Charles I. and Portugal in 1642, a Treaty which was renewed in 1654, but which would not bear examination any more than the rest. Spain and Portugal were at the time at war and the passport clause of the Treaty prohibited the English from carrying any merchandize direct from the ports of Portugal to those of Spain, and therefore shut out England from any right at all as a neutral to carry goods to the latter country. The first Treaty quoted by Hubner, he might add, was that between France and Denmark in 1743; but it contained not a syllable on the question that "free ships make free goods." The second Treaty referred to by Hubner was that between Denmark and the two Sicilies in 1748, and in dealing with that he mentioned another Treaty—that of 1670, which he said had an Article far more favourable to his view. But when that Treaty came to be examined it would be found to contain the passport clause, which was as follows:—

> "But lest such freedom of navigation, or passage of the one Ally and his subjects or people, during the war that the other may have by sea or land with any other country, may be to the prejudice of the other Ally, and that the goods or merchandize belonging to the enemy may not fraudulently be concealed under colour of being in amity, for the preventing of fraud and clearing of all suspicion, it is thought fit that the ships, goods, and men belonging to the other confederate, in their passages and voyages, be accompanied with letters of passport and certificate."

The passport contained the assertion that, the cargo really belonged to the subjects of Denmark, or to others in neutrality. The next Treaty cited by Hubner was that between France and the Hanse Towns in 1716. The eighth Article provided that no ships or men should be pressed into the service of France when belligerent, and the 13th, that their ships should not be stopped or detained, except they were laden with contraband or the goods of the enemy. Who were Hubner and Schlegel? He desired to speak of these learned men with all due respect, but it should not be forgotten that they were hireling writers employed to write against the rights of maritime nations. Therefore, they would not bear comparison with men who wrote in the silence of their chambers and not at the dictation of any King or State. Next he came to a Treaty entered into between France and Holland in 1646. It was only made for four years, and it was in condemnation of the ordinances of France made by Francis I. and confirmed by Henry III. in 1584. Under this Treaty—

> "The Dutch could deliver their cargo free, even if it contained enemies' merchandize, and even corn and vegetables belonging to the enemies."

Nothing could be clearer than if these words were used in the present day they would mean the principle of a neutral flag covering the cargo. These ordinances of France, which were not abandoned till 1744, allowed them to burn the ship of a friend if it carried enemies' goods, and to confiscate the goods of friends, if found in enemies' ships. When De Witt through Bored tried to put the modern interpretation in the Treaty, the French pointed out that their ordinances were referred to at the commencement of the Treaty, and that what followed must be read in reference to that fact alone. What the Treaty meant, they said, was not that they gave up the right to take enemies' goods from friends' ships, but that they remitted the penalty heretofore enforced, and while they maintained their reading of it, the Dutch had to abandon theirs. He next came to the Treaty concluded between Cromwell and Christina, which had been cited in favour of the principle that a neutral flag covers the enemy's goods. The policy which prompted Cromwell to make that Treaty was apparent almost on the face of it. Cromwell's object in enacting this law in favour of Christina was to secure the friendship of Sweden, which was a great Protestant Power. No doubt, we relaxed the right at times, when there was an object in doing so; but it must be remembered that Cromwell refused this concession to the French, and two or three times to the Dutch within a few years of the passing of the Treaty of Upsala. Then there was the great name of Sir William Temple, who concluded a Treaty with the Dutch, in which, no doubt, he relaxed our right; but he did so, because he wished to have the Dutch as our allies. Four years after Sir William Temple signed that Treaty with the Dutch, he made an offensive and defensive alliance with them, pledging the two countries always to have a common enemy. When subsequently this country went to war, and the Dutch wished to remain in neutrality and still to take advantage of this clause in the Treaty, they were not permitted to do so. Therefore, those who quoted Sir William Temple in favour of their views ought first to consider the policy which dictated his action, and how he fenced it about with conditions which rendered his gift totally worthless. Next he came to the Treaty of Utrecht in 1715. Perhaps it was the most disgraceful Treaty ever made by this country, and the names of the men who signed it had not to this day recovered from the odium it brought upon them. He found, however, that there was only a partial relaxation of the law, for though the principle of "free ship, free cargo" was conceded to the French, it was not given to Spain, nor was it agreed on in the Treaty made at the same time between Spain and Portugal. Up to this date, and for 40 or 50 years afterwards, this principle was never asked for as a right according to the Law of Nations. It had, in fact, never been conceded, except at a particular time, with a particular nation, or for a particular purpose. The *Exposition des Motives* addressed by the King of Prussia to the Ministers of George II. in 1752 was the first instance of the rights of neutrals in the modern acceptation of the term being put forward as a natural right and as founded on the universally received Law of Nations. Frederick the Great had been responsible for what was called the Silesian Loan. Negotiations ensued, and it was sometimes assumed that the reply of Lord Chesterfield applied only to contraband. This was not the case, however. Lord Chesterfield's answer was—

> "That the King of Great Britain will offer no hindrance to Prussian navigation so long as they should exercise their commerce in an allowable way, and should conform to the ancient customs established and received between neutral Powers."

If any one thought this applied to contraband alone, he would refer him to the following letter addressed by Sieur André to the King of Prussia—

> "Your Majesty's subjects ought not to load on board neutral ships any goods really belonging to the enemies of England, but to load them for their own account, whereby they may safely send them to any country they shall think proper, without running any risk; then, if privateers commit any damage to the ships belonging to your Majesty's subjects, you may depend on full justice being done here, as in all like cases hath been done."

He would now advert for a moment to the attitude assumed by America towards this question. The conduct of America had been strictly consistent. She made a Treaty with France in 1780 and another with England in 1794. The Treaty with France contained "the most favoured nation" clause, and one granting the principle that a neutral flag covered the cargo. The Treaty with England contained nothing of the kind. A few years later this country was at war with France. America allowed the English to take goods of French merchants out of American vessels, but would not allow the French to take the goods of English merchants out of American vessels. On the French Government complaining of this, President Jefferson, who was no friend to this country, replied—

> "Before the Treaty with Great Britain, the Treaty with France existed. It follows, then, that the rights of England, being neither increased nor diminished by compact, remain precisely in their natural state, which is to seize enemies, property wherever found; and this is the received and allowed practice of all nations, where no Treaty has intervened."

We should bear in mind that subsequently to this, in 1780 and in 1800, England withstood the whole world in arms in support of this undoubted right of search. This right of our ancestors had since been disputed. If, however, it were found that they acted in strict accordance with their right, and with the universally acknowledged law of nations, we ought to hesitate before we decided permanently to remain under a declaration that would prevent us from putting forward our strength in the direction in which our strength chiefly lay, and that would forbid us in our extremity to follow in the footsteps of our ancestors. If this country ever found herself in difficulties, the Minister who happened to be in power would not find it easy to persuade the people that they were not to put forth their whole strength in a contest. At the present moment the rights of non-belligerents were looked upon with a more favourable eye than the rights of belligerents. A leading article in *The Times* had put forward the same view, and the reason why it prevailed was not difficult to understand. Within the last quarter of a century four or five great wars had occurred, and whatever motives were assigned, underlying all these wars had been ambition, and ambition alone. The rights of non-belligerents had, therefore, come to be regarded with a more friendly eye. He maintained, however, that, taking the case of a country fighting for its existence, or fighting in a thoroughly just cause, the rights of belligerents, once ascertained, were quite as worthy of respect as any rights which could be alleged on behalf of non-belligerents. In 1812 the English Declaration in answer to the French demands was—

> "By these demands [the neutral flag covering cargo] the enemy requires that Great Britain and all maritime nations shall, at his pleasure, renounce the natural and incontestable rights of war, and that Great Britain in particular shall surrender all the advantages of her naval superiority."

At the Congress of Châtillon in 1814 the British Government would not allow Lord Castlereagh even to discuss the question of maritime rights, a precedent wisely followed by the present Government when they sent Sir Alfred Horsford to Brussels. Again, Mr. Canning refused to ratify a Treaty made by Sir Charles Stewart with Brazil, because it contained a clause which surrendered our maritime rights, permitting the neutral flag to cover the cargo—a principle which Mr. Canning, in common with every other British statesman before his time, considered as inimical to the interests of this country. In 1854, however, the time came when the whole policy of this country was to be reversed, and the words of every prominent British statesman were to be cast aside. What made this change of opinion possible? What made it possible that any Minister should submit such a proposal or that the British people should listen to it? It was the teaching of the Manchester School. Twenty or five-and-twenty years ago the teachings of that School had penetrated the middle classes of this country, and had largely affected the upper classes. Nor did the hopes of that School appear then to be quite so baseless as the experience of the last 15 years had shown them to be. After a peace of 40 years—a peace which contrasted by its calmness with the intensity of the war which preceded it—one set of thinkers believed that the time might come when war would cease, while those persons who did not go to that length fancied that it was in the power of any country, especially our own, to isolate herself from foreign affairs so as practically to avoid war altogether. Since then there had been a change in the franchise, the depository of power was no longer the middle class, and the teachings of the Manchester School were recognized as tainted by the corruption which the unqualified genius of trade must ever engender. Up to the last moment in 1854 Lord Clarendon held a contrary opinion to that which he subsequently held. On the 25th of March he declared that England would stand by her maritime rights, whereupon the Russian rouble fell to 32*d*. There was a general impression that Russia never would have gone to war with England if she had stood by her maritime rights; but only three days after Lord Clarendon's declaration to this effect, there was a Cabinet Council, and the next morning there appeared in *The Gazette* the following notice:—

> "In order to preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing for the present to waive a part of the belligerent rights appertaining to her by the Law of Nations."

It was worth remarking that there was no doubt expressed at this stage as to what the law was, which doubt was stated in the Declaration of Paris. Her Majesty here waived a right which belonged to her by law. A similar declaration was issued at the same time by the Emperor of the French; but he, as the head of a great military Power, was not an authority for a great maritime Power to follow on a question of this kind. Moreover, the insecurity of the late Emperor on his throne might make him loth to put his subjects to temporary pressure, although, in the long run, it might be for their advantage; be that as it might, there were numbers now in France who regarded the Declaration of Paris as a legacy from the Emperor's rule, as we on this side the Channel traced it to the teaching of the Manchester School, and among Continental statesmen there was no one more anxious to see it annulled than M. Gambetta. Now, mark the contrast between the war of 1800 and the war of 1854. In 1800, so complete was the pressure we were able to put upon Russia, that her trade and commerce were completely stopped, and the Peace Party murdered the Emperor Paul in order to bring about peace. As Mr. Cobden once said—"Providence, by the position in which she has placed Russia, made her absolutely dependent upon the maritime Powers." But in 1854 the trade of Russia was not at all affected. The rouble, which fell to 32*d.* when it was believed that England would assert her maritime rights, rose afterwards to 38*d.*, and remained at par during the war. The exports of Russia only fell from £11,000,000 to £10,000,000; the whole of her commerce passed to Memel and other neutral ports; and she was recouped for increased cost of transit by the additional price which the English consumer paid for her goods. It was said that the existence of railways had wholly changed the position of this question of maritime rights. An unanswerable reply was that, owing to railways, there was not a single Continental Power which in case of war, by running her goods to neutral ports, might not evade the whole pressure put upon her by a blockade. The conduct of Prussia was a good deal impugned at the period of the Russian War, and it was said that she held improperly aloof from the allied Powers. But Prussia had a direct interest in remaining neutral. Her trade quadrupled and quintupled; she carried the whole of the Russian goods; and it was a strong argument against their surrender of maritime rights that thereby neutrals had a direct interest in a war which put money into their pockets. It was now a matter of history that when Prince Metternich heard of this surrender, he said—"Is it possible that for such reasons England should have relinquished rights upon which she has insisted as long as I can recollect." Reverting, however, to the act of Lord Clarendon, he maintained that it was an illegal act. There was no doubt of the power of the Crown to make Treaties, but they could not be made against the law of this country. Now, the maritime law was part of the Law of Nations, and over and over again it had been held that the Law of Nations was part of the law of England. As to M. Hautefeuille, who wrote in 1868, it was unfortunate that his book was distorted by passion, and that there was hardly a chapter of it which was not tainted by Anglophobia. M. Hautefeuille had in his mind a war between France and England; unfortunately for his theory, and for France also, when she found herself at war it was not with a stronger maritime Power than herself, like England, but with Prussia, a weaker one; the result was, that in the lifetime of every Member then in the House a proof was furnished that the new Rule, which was supposed to be the *ne plus ultra* of neutrality, meant the rendering of the greatest amount of assistance to the weaker of two maritime belligerents, coupled with the greatest amount of injury to the stronger of the two. At the commencement of the war the French Navy was far stronger than that of Prussia; but as Prussia had no commerce to protect, her war-ships lay entrenched inside her line of torpedoes, just as the Russian Navy in 1854 kept inside the stone fortifications of Cronstadt. The French sailors fought bravely; but shipless, and their occupation gone, they fought on shore with the Army on the Loire, under Chanzy and Faidherbe. He now came to a portion of this question hitherto untouched—that of privateering—which at one time he had a mind to pass by altogether, because it had been mixed up with the subject to its prejudice. But the connection between the two questions was altogether accidental. He adverted to it merely for this purpose. It had been often alleged—and he was not sure that Lord Clarendon was not responsible for the allegation — that the advantage that England gained by the condemnation of privateering more than compensated her for what she might lose under the new rule of free ships making free goods. Privateering, however, was not abolished because a compact not to use privateers would affect the two belligerents alone. When one nation went to war with another all Treaties between them came to an end, and consequently if the enemy employed privateers against us we could employ privateers against the enemy. That was a matter absolutely unconnected with neutrals. But what would be our position if ever we found ourselves at war with America, which was undoubtedly the second greatest naval Power in the world? The position we should occupy would be the position occupied by France in the war at the close of the last century. America was not affected by the Declaration of Paris, and would take English goods from neutral ships, but England would not be permitted to take American goods from neutral vessels. Nor, in case of war, would England get the advantage arising from the condemnation of privateering. That privateering had been in no sense abolished by the Declaration of Paris was thoroughly known and understood abroad, and therefore he was not surprised to find that *The Moscow Gazette*, as quoted in *The Times* of the 25th of October, 1876, "advised the Russian Government to issue *lettres de marque* against England in time of war." On the 24th of July, 1870, the King of Prussia issued a decree for the creation of a "voluntary marine;" and M. Calvo ("Le Droit International") gave these reasons to show that the act of the King of Prussia was in accordance with International Law. He said—

> "1, Vessels were described as *navires frétés*—that is, ships merely chartered by the Government, the property in them not being transferred to the State, but remaining vested in the *armateurs !* 2, they were to receive a *prime* upon each one of the ships captured; 3, that their equipment and officers were to be provided by the *armateurs* themselves."

And then he quoted a passage, of which the following was a translation:—

> "The Law Officers of the English Crown consulted as to the legality of this Decree did not see in it a violation of the Declaration of 1856, or an indirect re-establishment of privateering; in their view the operations in which the vessel had been invited to engage were not of an especially private or commercial character, but ought, rather, to be compared to the operations of Free Corps or Volunteers on land, the enrolment of whom is fully recognized and sanctioned by International Law."

He merely adverted to this to show that whether we adhered to the Declaration of Paris or not, we should have a system of privateering revived in one shape or another. The question had been raised whether we possessed the same ability as before, not only entirely to protect our own commerce, but to chase the commerce of our adversaries from the sea. In former times we know what we could do. In January, 1799, during the war between England and France, the French Directory reported to the Consul that it was unfortunately too true that there was not a single merchant vessel sailing under the French flag; and they asked—"What other means of export have we except the employment of neutral vessels?" And in 1805 we were informed that "there was not a hostile mercantile flag, a few coasters excepted, to be found on the ocean."—[*War in Disguise*, pp. 71 and 229.] He would now quote from a work recently published—*The Life of the famous Sir W. Parker*—

> "The merchant ships of Great Britain in 1810 carried most of the commerce of the world, and in spite of having to make head against numerous open enemies and the scarcely-veiled hostility of the Government of the United States, whose ports remained closed to British ships of war, though they did not declare war till 1812, England was yet able to keep down the enemy's vessels of war and privateers. The prosperity of the country was steadily on the increase. The exports from Great Britain and Ireland, which were twenty-eight millions at the commencement of the war, exceeded forty-five millions and a half in 1809. The imports, which were twenty-five millions in 1803, were in 1809 thirty millions; and both imports and exports increased steadily while the war lasted, inasmuch as in 1815 the imports had risen to nearly thirty-two millions, the exports to fifty-seven millions and a half, and the trade was carried on almost exclusively in English bottoms."

He ventured to say that what had been done before, could be done again. Although, owing to the invention of machinery, our sailors might have lost the advantage their superior manual skill gave them, there could not be a doubt that our Navy at the present moment was stronger than it had ever been. Whatever might be said against present or past administration at the Admiralty, the days of "donkey" frigates were over, when our sailors were sent to sea in ships which only their great skill and courage kept afloat, let alone the contests they had to wage with the enemy. So far were we in advance in naval matters, that Continental nations could hardly be said to have reached the stage of imitation—whenever they wanted a ship or a gun of the newest pattern they came here to have it made. And now he came to the consideration of the two Amendments on the Paper. And, first, taking the Amendment of his hon. Friend the Member for the Elgin Burghs (Mr. Grant Duff), he must say that he liked the expression which it contained that what he proposed was not "in accordance with the honour" of this country, and he regarded it as an admission that it was not pretended that the Declaration of Paris had altered the Law of Nations. Now, he did not agree with those who said that the Declaration of Paris was so manifestly unjust on the face of it that if we found ourselves at war we should sweep it away. On the contrary, he recognized the Declaration of Paris as an honourable compact, and therefore he considered that, as a debt of honour, it was more binding on us than a Treaty would be if we allowed it to stand unquestioned until war came. But it was in no sense a Treaty, and had never received the sanction of the Crown. It was a mere compact of certain persons at Paris, and therefore it was open to us to say that now, in time of peace, we wished to withdraw from it, at a time when we could not tell whether we should be the gainers by the step we were taking by finding ourselves belligerents in the next war, or whether we should be losers by finding ourselves neutrals, and debarred from profiting from the increase invariably brought to our carrying trade, when a war occurred, and we were a neutral Power. The Amendment of the hon. Member for Manchester (Mr. Jacob Bright) was a mere echo of the tenets of the Manchester School, and he agreed with it so far as it expressed the unsatisfactory and illogical position which we at present occupied—that of a sort of half-way house—on this question — a position which combined the disadvantages of the position we had relinquished, as he hoped for a time, with the disadvantages of the position the hon. Member would invite us to take up. He could not agree with the hon. Member in the morality of that position, because he remembered that Lord Stowell had said that "military war with commercial peace was a thing unknown." Mr. Mill—than whom hon. Members opposite would admit there had not been a greater authority in that House—in speaking on this subject, said—

> "I am at a loss to understand how humanity is to be advanced by shooting at men's bodies, instead of taking their goods."

Carrying out such a principle merely meant that wars would be prolonged. The right hon. Gentleman the Member for Oxford had remarked that this new rule had found favour in the eyes of that House, because it would operate as a bribe to nations to remain at peace. He admitted that it was a bribe, but he disputed the morality of offering such a bribe. While the rule under the Declaration of Paris would divide the interests of the family of nations, and would make it to the advantage of neutrals that war should go on, the Amendment of the hon. Member for Manchester would divide the nation against itself, and would incite one branch of the community to prolong the war at the expense of another branch. He might have concluded his observations by the usual remark that this was not a Party question, had the country not been told in the most remarkable manner, and from the most unexpected quarters, that there was a possibility that it might be our duty, and, indeed, an absolute necessity, for us to draw the sword. He ventured to say that all his hopes were with the Conservative Government, because he could not forget that nearly all the leading Members of the Party now in office had by their own lips condemned the Declaration of Paris, and that that Declaration was in direct conflict with the policy and history of the Conservative Party for the last 150 years. He told those who were now in power that he and those who thought with him did not desire to put any pressure upon them, for they knew how much more difficult it was to back out of a mischievous policy than to slide into it. They, however, wished that Her Majesty's Government should ride at a single anchor on this question, ready to let go when occasion offered and withdraw from this fatal Declaration of Paris, in doing which they would be performing an action worthy of the great men of the Tory Party who in former days vindicated the honour and the highest interests of England, and would give another proof of their title to the continued confidence of the English people. In conclusion, he begged leave to move the Resolution of which he had given Notice.

MR. BAILLIE COCHRANE, in rising to second the Resolution, said, he felt great pleasure in congratulating the hon. Member who had just sat down upon his very able and eloquent speech. He had always looked upon the Declaration of Paris as one of the most extraordinary feats ever accomplished, and as involving an uncalled-for and wanton sacrifice of the maritime rights of this country. He had always considered that the Plenipotentiaries who negotiated the Treaty of Paris exceeded the limits of their delegation when they meddled with the question of maritime rights. They had no authority whatever for what they did, and he objected to our maritime rights being signed away by them. They had simply met at Paris for the purpose of drawing up the Articles of a Treaty, and after the object for which they were accredited had been accomplished, Count Walewski proposed that this Declaration should be entered into, by which the maritime rights of England were to be sacrificed. He well remembered that no authority had been given to the different Ambassadors at the time to touch upon the question of maritime rights, and therefore he maintained that the maritime rights of England were sacrificed without any authority from the Sovereign, the Parliament, or the people of this country. Such an event had never occurred before in the course of our history, and it was a very dangerous doctrine that an Ambassador, without having received express instructions to that effect, might sign away the rights of his country. And what were the arguments that had been adduced in support of this new rule? The stock argument was that of humanity—that we were to carry on war upon a humane principle. The idea was an extraordinary one, and had no force, because the more a war cost, and the more destructive they could make it, so as to bring hostilities as speedily as possible to a close, the better it would be for the interests of humanity. We talked of our anxiety to carry on war with humanity, while every day we were improving our instruments for taking and destroying human life. It was, in his view, better to destroy property than to shed human blood, and he could not understand how any statesman could entertain the contrary opinion. How could we reconcile the fact that we were enlisting naval volunteers, and equipping, arming, and training them, and yet were prohibited from taking advantage of our supremacy at sea by employing the volunteer services of privateers carrying letters of marque, who would do as much harm to the enemy as possible? In Elizabeth's time nearly our whole Navy consisted of volunteer ships, and in one of Raleigh's expeditions no fewer than 30 privateers equipped by the City of London formed part of his fleet. Whence arose this great anxiety to protect private property at sea? They were told that private property should be inviolable in time of war, but the thing was impossible. A besieging army might respect a church or an hospital; but when he passed through France shortly after the late war he found traces of burning villages everywhere. Therefore, upon what principle we were to sacrifice our maritime rights he could not imagine. He trusted that when the House was made fully acquainted with the real condition of the case, the interests of this country would rise superior to any Party views; and that it would be seen that there was, at any rate, a very large body of the Representatives of the people who were determined to maintain the maritime rights of England—rights which were essential to her greatness. What said the authorities upon the point? In the Speech from the Throne in 1801 there was the following paragraph:—

> "I have taken the earliest measures to repel the aggressions of this hostile confederacy, and to support those principles which are essential to the maintenance of our naval strength, and which are grounded on the system of public law, so long established and recognized in Europe." —[*Parl. Hist.* xxxv. 865.]

Lord Mansfield, when appealed to by the Government of the day, distinctly laid down the following principles:—

> "1, The goods of an enemy on board the ships of a friend may be taken; 2, The lawful goods of a friend on board the ships of an enemy ought to be restored; and, 3, Contraband goods going to an enemy, although the property of a friend, may be taken as prize."

The opinion of Lord Stowell on this branch of the question was conveyed in the following words:—

> "A war and a commercial peace is a state of things not yet seen in the world; there is no such thing as a war for arms and a peace for commerce; and the right of visiting and searching merchantmen on the high seas, whatever be the cargoes, whatever the destination, is an incontestable right of the lawfully commissioned cruisers of a belligerent State."

Lord Nelson, again, expressed not only the opinion of his own time, but foreshadowed the views of the great naval officers of the present day, when in the House of Lords, in 1801, he described the proposition that free ships should make free goods as—

> "A proposition so monstrous in itself, so contrary to the Law of Nations, and so injurious to the maritime rights of this country, that, if it had been persisted in, we ought not to have concluded the war with those powers while a single man, a single shilling, or even a single drop of blood remained in the country."—[*Parl. Hist.* xxxvi. 262.]

Napoleon, again, speaking on the same question, said—

> "The greatest blow that could be given to England would be to compel her to give up her maritime rights."

Yet these were the rights which were

abandoned by the Government in 1854, when England was drifting into a war with Russia. In that year the following Order in Council was issued:—

"In order to preserve the commerce of neutrals from all unnecessary destruction, Her Majesty consents to suspend a portion of the belligerent rights that belong to her by the Law of Nations; Her Majesty will suspend the right of seizing enemy's property on board neutral vessels unless contraband of war."

These being the historical facts down to the year 1854, it became important to inquire as to the opinions which were held upon the question by statesmen of the present day. In 1857, Earl Russell said—

"The rules, 'Free bottoms make free goods,' and 'The goods of a belligerent are safe in neutral vessels, and the goods of a neutral safe in belligerent vessels,' have always been regarded as injurious to the interests of maritime countries, and especially to the maritime power of England. . . . I hope no Minister of Great Britain will set his seal to a Treaty containing any stipulations of this kind without the most cautious deliberation."

Again, the late Earl of Derby said, in 1856, that—

"Whatever losses Russia may have suffered by this war, whatever embarrassments she may have experienced, I hesitate not to say that they are more than compensated by the adoption of that one Article."—[3 *Hansard*, cxlii. 537.]

Mr. Cobden also gave expression to his views on the subject when referring to the Congress which resulted in the Declaration of Paris. He said—

"The Congress declared that the neutral flag covered the enemy's goods. This resolution reverses the most venerated judgments of our Admiralty Courts, and for the first time imparts the force of maritime law to principles which were resisted by England against the world in arms until the close of 1815. The practical effect would be in case of war with a naval Power to transfer the trade of even our own ports to the neutral Powers."

He was sorry, after what had been so fully stated by his hon. Friend who had brought the question forward, to refer to the connection of Russia with this question, but it was yet interesting to have some information on this branch of the question. Sir John M'Neill, in his *Progress of Russia in the East,* said—

"The power which Great Britain had to destroy the commerce of Russia enabled England to force Russia into an opposition to France, which the Emperor Alexander was desirous to avoid. It was the Right of Search which constituted the maritime power of England, which power was a providential weapon placed in the hand of England for the coercion of Russia."

On the whole, then, he thought Parliament ought, after strong expressions of opinion such as he had quoted, to consider the question which had been brought forward, in order, if necessary, to take the remedial measures that might appear requisite in order to maintain the honour and the maritime supremacy of England. Under the present system there was a right of search for contraband of war. Parliament should have been consulted before this great change was made. The Declaration of Paris had never, however, been ratified by the Legislature; the opinion of the Representatives of the people had not been taken on such a great question; and they were not therefore bound by the Declaration of Paris. As to the suggestion that if in time of war the Declaration was found to be disadvantageous it should not be acted upon, that was not a high principle. It would be unworthy of the country. He had no doubt that in the event of our having another great war, the naval volunteers would be found existing again, and that the Declaration in question would be practically torn up. That Declaration should itself be declared null and void, and he believed that the vote of the House would show that this was the opinion of at least a large minority of the Members. It was much better that that should be done in time of peace and after full and calm deliberation than that it should give rise to difficulty when possibly the country might be at war.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the object of the Declaration of Paris respecting Maritime Law, signed at Paris on the 16th of April 1856, was, as was expressed in the preamble, to endeavour to attain uniformity of doctrine and practice in respect to Maritime Law in time of war:

"That it is moreover obvious that the whole value that might be supposed to attach to any such Declaration, as changing the ancient and immemorial practice of the law of nations on the subject, must necessarily depend on the general assent of all the Maritime States to the new doctrines:

"That the fact of important Maritime Powers, such as Spain and the United States, having declined to accede to the Declaration of Paris, deprives that document of any value as between the Governments who have signed it:

"That the consequence of some Powers adhering to the new rules, whilst others retained intact their natural rights in time of war, would be to place the former at a great and obvious disadvantage in the event of hostilities with the latter;

"That Great Britain being an essentially Naval Power, this House cannot contemplate such an anomalous and unsatisfactory condition of international obligations without grave misgivings:

"That, independently of all other considerations, the failure, after twenty years negotiations to bring about general adhesion to its terms, necessitates the withdrawal of this Country from what was necessarily and on the face of it a conditional and provisional assent to the new rules:

"That this House, whilst desiring to leave the question of opportuneness to the discretion of Her Majesty's Government, and having confidence in the repeated declarations on the subject of individual members of the present Administration, think it desirable to record an opinion that no unnecessary delay ought to take place in withdrawing from the Declaration signed at Paris on 16th of April 1856, on the subject of Maritime Belligerent Rights,"—(*Mr. Percy Wyndham,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GRANT DUFF, who had on the Paper an Amendment to the Motion, to move—

"That to withdraw from the Declaration signed at Paris on the 16th day of April 1856 on the subject of Maritime Belligerent Rights would be in accordance neither with the honour nor with the interests of this Country; but that the state of International Law with reference to Maritime Belligerent Rights is extremely unsatisfactory, and calls for the careful attention of Her Majesty's Government,"

said: Although, Sir, I entirely dissent from the conclusions of the hon. Member for West Cumberland (Mr. Percy Wyndham), I am extremely glad that he has brought this question forward, if at least the result be to have it fully discussed. When, in the year 1867, the late Mr. Mill called attention to it, the Session was very far advanced, and it was impossible for the House to do anything like justice to so large a subject; and even in 1875 it was only very partially examined. And first, Sir, I have to congratulate the hon. Gentleman on having entirely separated himself from those who say "the Declaration of Paris was a blunder; but it does not much matter, for when it is convenient to this, or any other powerful State, to treat it as waste paper, as waste paper it will be treated." Such a view seems to me at once wicked and futile. It is wicked, because it would be grossly unfair that any powerful naval State having come under a solemn engagement, and having when it chanced to be neutral—as we were, for example, in the Franco-Austrian War of 1859—obtained the advantages which the Declaration of Paris secures to neutrals, should, when its turn came to suffer some inconvenience from being a belligerent, face round and repudiate its obligations. It is futile, because I do not believe that any Prize Court would recognize a capture made by a State which had adhered to the Declaration of Paris, if made in breach of the engagements involved in adhering to that Declaration. If we are to withdraw from the Declaration of Paris, the only proper course—the only endurable course—is the course which the hon. Member advocates—that is, to withdraw from it after giving the fullest notice to all concerned, and at a time when no sudden call of interest, or imaginary interest, induces us to do so. I think, however, that to withdraw from the Declaration of Paris would be to make a most grievous mistake — one equally prejudicial to our honour and our interests. First, I hold that it would be prejudicial to our honour, because it would be a confession to all the world that the Ministers of England, from 1856 to 1877—men of the most diverse political opinions and of the most diverse training—had, one and all, in spite of repeated warnings, failed to see the true interests of their country. Secondly, because it would be a confession to all the world that both Houses of Parliament, when challenged to give their opinion on the subject, had invariably done the like. Thirdly, because we have, by our example, induced a great many other States to adhere to the Declaration. I hold that it would be prejudicial to our interests, because the Plenipotentiaries who agreed to the Declaration of Paris did not do so from any theoretical considerations, sudden impulses, or humanitarian crotchets. They were dry, old, experienced men of business, who had sowed their wild or tame oats of sentiment a generation before. The Declaration of Paris merely recognized a state of things actually existing—a state of things which had been brought about by causes over which we had little control, but which operated as remorselessly as fate in a Greek tragedy. The clauses of the Declaration of Paris were, as we have been told, four. About two of them I need say nothing, for few, I think, object to them. These are the abolition of paper blockades and the recognition of the doctrine that neutral goods, except contraband of war, are safer in enemy's ships. The controversy is waged about the two others. As to the first of them—the abolition of privateering—I will leave others who will follow me in the debate to speak, merely remarking that we English, who could increase our Navy incomparably more rapidly than any other Power, are surely the last people who should regret the abolition of privateering. The real centre of the controversy is, however, the recognition of the doctrine that free ships make free goods. How, then, does it stand with regard to that matter? For hundreds of years before the Declaration of Paris we had been recognizing that doctrine in one Treaty after another. Anyone who cares to look for them will find a long list in Lord Clarendon's unanswered and unanswerable speech, delivered in reply to Lord Colchester in 1856. I will not refer further to these; but I may mention that in the 200 years previous to 1856 there had been 130 international agreements between the principal Powers of the world, in only 11 of which this doctrine had not been recognized. And when we came to fight side by side with France in the Crimean War, in what position did we find ourselves? France held that free ships made free goods, and therefore she respected the enemy's goods in a neutral vessel. We did not, and we seized them in a neutral vessel; but France also held that enemy's ships made enemy's goods, and seized the property of the neutral on board an enemy's ship. Could any situation be more absurd for the allied captors, or more embarrassing for the unlucky neutral? How did we meet the difficulty? We met it by agreeing that the rule afterwards accepted permanently at Paris should be the rule for the war we were then beginning. If we had not done so, we should very soon have been involved in a war with America, and possibly with some other Powers; and if we had not accepted the Declaration of Paris the same causes would, in any future war, have tended to produce the same agreeable result. A writer on this subject, who sits in this House, has described this argument as the *eidolon timidum,* and that is a good spread-eagle sort of phrase enough; but I think that an hon. Member who contemplates with calmness the idea of England being involved in war with a large portion of mankind for the maintenance of a right which a large portion of its inhabitants think illusory or mischievous, has more valour than discretion. Then the expediency of adhering to the course of policy which prevailed in the Napoleonic Wars is argued on the ground of authority; and a long list of eminent persons, who said strong things in support of the old view, is paraded — amongst others, Mr. Pitt, who seems to have declared that rather than agree to the doctrine that free ships make free goods, "he would wind the flag round his body and seek his glory in the grave." Well, of course, in those days eminent Englishmen upheld those views, because they were the views to which the country was committed, and Englishmen showed their tenacity and pluck, even in an unwise course, by sticking to their view for 40 years after the end of the Napoleonic era, till it was absolutely impossible to stick to it any longer without placing England in a position of having no neutrals against whom she could exercise her right, because she would be universally recognized as *Hostis humani generis.* And even as to Mr. Pitt—although the passage which I have just quoted, and which appears, with many like it, in the book of the hon. Member for Canterbury (Mr. Butler-Johnstone)—I would venture to appeal from Philip drunk to Philip sober—from Mr. Pitt declaiming in the midst of the passion of a great war to Mr. Pitt negotiating in 1786, when he gave up this precious maxim. The policy which is advocated by the hon. Member for West Cumberland and his Friends was an intelligible policy in days when every nation, with its Colonies, was conceived as habitually at war with other similar States. The rigorous exclusion of foreign ships from our coasting and colonial trade, protection to native industry, exceptional advantages to our commerce in the markets of our Colonies, and to the products of our Colonies in our markets—all those ideas hung together and were in intimate connection with the old ideas of severity to neutrals and maritime supremacy. We have swept away, however, nine-tenths of our old arrangements; and to think that Mr. Pitt would approve of our keeping up one little fragment of his policy when the rest had vanished, would be to think that we should please a Greek architect by leaving a fragment of a portico of his standing when we had swept away the temple behind it, and built an Elizabethan mansion out of its ruins. The truth is, that when in 1846 we took the first great step in the direction of Free Trade, we broke irretrievably with our past in many ways which were not then clearly perceived. We cannot, at the same time, have the advantages of being dependent on, and independent of, the whole world; and that Minister does a service to his country who helps it forward towards accepting, and getting other nations to accept, the inevitable result—that result being that we must all give up a great many ways of injuring each other. They were once tolerably convenient to all strong Powers; they are now intolerably inconvenient to everybody. Then we are told that if we make war less terrible than it is, nations will be always engaging in it. Even Mr. Mill lent his authority to this strange proposition; but if we are not to make war more humane, lest nations should be always engaging in it, where is the argument to stop? Clearly, if that argument holds, all that has recently been done by neutrals to mitigate the sufferings of the wounded and to save their lives is a mistake. If it is right to make war as terrible as possible in order that it should be short, the commanders who ravaged the Palatinate were right, and the commanders who led hundreds of thousands of troops to Paris with less interference with private property than ever took place in war before were wrong. Where are we to stop? Are we to go back to hanging prisoners—which a great jurist defended in comparatively modern times—or to massacreing garrisons in order that other garrisons should not resist, or to poisoned arrows, and poisoned wells? At the root of the objections put forward to the Declaration of Paris we find a strange idea—that neither by Declaration nor by Treaty is it possible to alter the Law of Nations. The Law of Nations is, of course, a somewhat loose expression. There is no such thing as a Law of Nations in the sense in which there is a law against murder in this or other countries. The Law of Nations is nothing but the aggregate of the customs which have been recognised by the great majority of civilized nations in their dealings with each other, as set forth by the best accredited jurists who have devoted themselves to this subject. If it were examined, it would be found that not many of the doctrines of what used to be called the Law of Nations, and is now usually called International Law, however well established now, had, when they first became embodied in text-books, anything like so firm a foundation as the Declaration of Paris, in its character of a solemn international agreement, has given to the principles which it embodies. International Law is only too apt to give oracles in accordance with the arguments of the masters of many legions; and the best international lawyers would be the most pleased to see the best accepted doctrines of their science receive their apotheosis in the form of a solemn international agreement. We are told by one of the enemies of the Declaration of Paris that no number of Treaties can make a Law of Nations in the sense in which he has defined the Law of Nations. That may be so; but I humbly take leave to think that the reason is that he has not taken sufficient trouble to understand what the Law of Nations means. He adds that if the Declaration of Paris were signed by all European nations, it would then become a conventional Law of Nations, "but could never rise to the dignity of a Law of Nations in the highest sense." With the deepest submission, it appears to me that that highest sense can be shortly described as transcendental anti-sense. It answers to nothing in Heaven or Earth, and is a mere figment of the brain. Then it is said that the Plenipotentiaries at Paris exceeded their instructions. If they did, their act was adopted and sanctioned by the servants of the Crown under whom they acted, and by the Crown itself. I believe some persons have even gone so far as to say that the Crown had no right to make such a change in the established practice of the country without the previous consent of Parliament; but that is a doctrine which no one who has studied the British Constitution can listen to for a moment. In order to put it forward at all, those who hold it are obliged to maintain that maritime law, by which they mean the imaginary maritime law which they deduce from their Law of Nations in its highest sense—the imaginary father of an imaginary child—is part of our municipal law. But, Sir, it is impossible to argue this question properly without widening the area of discussion, and showing that although it was absolutely necessary to adhere to the Declaration of Paris, and although it would be madness to dream of going back upon it, nevertheless, that the position in which the Declaration of Paris left Maritime International Law was an extremely unsatisfactory one—unsatisfactory as regards maritime capture, blockade, and the right of search. And, in arguing this question, I shall leave absolutely on one side all the arguments that may be drawn from the advantage of the milder policy to the general interest of mankind—not because I do not attach great importance to them, but because any arguments drawn from such considerations will, I know, have little weight with some of the persons against whom I am arguing. I will argue the case as if we had nothing to think of but the mere naked interests of England. To prevent all misunderstanding of my point of view, I wish hon. Members who are against the Declaration of Paris to take notice that I make to them two admissions. First, that in so far as our rights have not been limited by distinct agreement, or by long civilized usage amounting to distinct agreement, I think we and everyone else have a right to do anything in war that we please against either person or property, but right is one thing—expediency another. Secondly, I consider the maintenance of the naval supremacy of England a matter of the most enormous importance, alike to England and to the civilized world. These full admissions may save the reiteration of some arguments about matters not in dispute, and so tend to shorten discussion. The present position as regards England is this—We have much the largest Mercantile Marine afloat. We have a Mercantile Marine so large that we cannot even attempt to defend it without scattering our Navy all over the world; and, in the opinion of many people, we cannot defend it successfully, however much we scatter our Navy. That being so, and commerce being a timid thing, it is but too likely that, if we are ever engaged in war, the cargoes which we should otherwise carry will seek protection under neutral flags; while, if the war continues, our ships will pass into the hands of neutrals, our sailors will follow them, and thereby not only will our commerce be injured, but our Navy will be starved by the starvation of its best training school—our Commercial Marine. I have no doubt this view of the case will be stated and illustrated by other speakers who will address the House to night, and it is sufficient for my purpose just to mention it. Then, as to right of blockade. The recent immense development of railway enterprize has made commercial blockade a far less effective weapon in the hands of a maritime Power than it used to be. Look round the map of Europe and see how few countries we could efficiently blockade. If—which Heaven forbid—we were ever at war with France we could seal up her Navy and all her mercantile ports into the bargain; but how little could we effect by the latter proceeding. Her goods could pass in all directions, and any little expense we might put her to would be balanced by expense to ourselves, and would not have the slightest result on the issue of the war. Then, again, as Mr. Cobden long ago pointed out, the great majority of the articles of commerce that pass over the sea are destined for these shores, to feed and otherwise contribute to the well-being of our people, or to be worked up by their labour and then sent out to all the ends of the earth. Let any one take a pen and paper, and, starting with the assumption that we have a Navy equal to any three other Navies, count up how many blockades we could enforce without doing ourselves more harm than good. On this point, too, I will not dwell, for other hon. Members will, I think, do so. I will only say, in passing, that Mr. Cobden's letter to Mr. Ashworth was written half a generation ago, and has, to the best of my knowledge and belief, remained unanswered. The third point in which I think the state of maritime law is unsatisfactory is the right of search for contraband of war. It is the interest, I think, of all commercial nations, and most of the greatest commercial nation—that is, of ourselves—to have contraband of war very strictly defined and as much limited as possible, while it is equally our interest to have the right of search for contraband of war as much limited as may be. Mr. Cobden proposed that contraband of war should be restricted, as the United States desired, to arms and ammunition; and that as an article is only rendered contraband of war by its hostile destination, the right of search on the high seas should be abolished, and the only admissible evidence should be the finding of the vessel within the waters of a belligerent State. Now, I trust that all these three points of Maritime Law will be fully discussed to-night, as the first of the three was in 1862, and that hon. Members will be found who will state all that is to be said for, and all that is to be said against innovation, as forcibly as was done in the extremely interesting debate upon Mr. Horsfall's Motion about maritime capture. I listened to that debate then, and thought the innovators had far the best of the argument. I have re-read it more than once since at long intervals, and I have in no way changed my opinion. I will, however, confine myself in this speech, by which I merely wish to begin the full discussion, to one or two arguments which have been frequently urged in the more partial discussions we have had of late years. It is said that if we give up the right of maritime capture and the right of blockade of merely commercial ports and limit the right of search, our Navy will be of no use. Will it be of no use? Can we call a Navy of no use that prevents a single armed vessel of an enemy coming out of port without being sent to the bottom? Can we call a Navy of no use that makes England one vast unassailable fortress? Can we call a Navy of no use that makes Malta and Gibraltar, and every one of our points of vantage throughout the world, perfectly secure; that makes the invasion of anyone of our Colonies, except the dominion of Canada, nearly impossible; that enables us to send in perfect security all our disposable troops to succour an ally; that enables us, if the necessity ever arises, to make our communications with India perfectly secure, by sending troops from England to Alexandria, and from Bombay or Kurrachee to Suez? Hon. Gentlemen who ask more from their Navy than that are rather hard to please; and I think that our present naval officers would very much prefer that class of duties to a class of duties which, as performed in the last war, had many features in common with piracy. Next, we are assured that by confining our Navy to warlike purposes we should weaken ourselves as against the great European military Monarchies. Suppose we went to war with a great military Monarchy, if our commerce were safe from all attack, what could the great military Monarchy do? Try to invade us? The Navy, no longer detached to chase fishing-boats and other small deer, would give a very good account of the new Armada. On the other hand, the Navy would enable us, if we had men enough of our own or our allies, to invade any one else. Then, it is said that it is more humane to take the property of our enemy at sea than to shoot at his body there. Even Mr. Mill used that argument; but, surely, the reply is simple—you are perfectly justified both in shooting at his body and taking his property as much as you please, provided doing either tends to end the war quickly and satisfactorily to you. What we object to, is not the infliction of misery during war; that is inevitable. What we object to, is the infliction of misery in waste. The capture of enemy's property at sea has never had so powerful an effect in bringing war to a conclusion as is sometimes attributed to it; and the tendency of recent changes being to make wars shorter and sharper, all efforts should be directed to strike at the heart of the enemy. To waste time in cutting up his commerce will only waste the strength of the stronger, and increase the bill that will have to be paid in land or money by the weaker party. Our own commerce, if it were not ours, is the only commerce which it would be worth while for us to cut up, if there were no Declaration of Paris. Some who see the awkwardness of our position very clearly think that other nations see it so clearly that they would rather keep us in that awkward position than allow us to take steps which, while improving their position, would improve ours still more. I give them credit for more sense. Their own position is quite sufficiently awkward to make them close with any proposal on our part to carry the reforms of 1856 further. We know that America, the Power most concerned, would readily do so. But it may be said, Sir, that the present aspect of affairs is pretty much the same that has existed for the last 20 years. What is the special reason for bringing it forward now? The reasons are three—first, that the risks involved in the present state of things are continually increasing with the extension of our commerce; secondly, that the whole bearing of the Declaration of Paris, whose consideration has been forced upon us by the hon. Member for West Cumberland, cannot be properly understood without discussing the question of the state of Maritime Law as a whole; and, thirdly, that we are in a quite exceptionally favourable position for discussing the question to-night. That large portion of it, Sir, which relates to maritime capture was considered at great length in this place just 15 years ago. Amongst many admirable speeches which were delivered during that debate—one of the most interesting to which I ever listened within these walls—was a speech which was made by the right hon. Gentleman who is now the Leader of this House. I agreed entirely with the views of the right hon. Gentleman then; I agree entirely with them still; and what I want to elicit is, whether the right hon. Gentleman has found in the last 15 years any answer to his own arguments; or, if not, whether he is prepared to abide by the wise and statesmanlike conclusion at which he then arrived? After setting out all the difficulties of our position with great clearness the right hon. Gentleman said—

> "Now, he wished to know what Her Majesty's Government intended to do? Were they of opinion that we could safely rest where we were?"—[3 *Hansard*, clxv. 1616.]

That is exactly what I want to ask the right hon. Gentleman to-night. He then went on to say—

> "But what were we to do now? Were we to go forward, backward, or in what direction? Was the noble Lord prepared to leave the matter to the chapter of accidents, or to say that when war came was the time when the whole question was to be determined?"—[*Ibid.* 1619.]

There, again, is precisely what I desire to learn now. Here was another passage in the right hon. Gentleman's speech—

> "Now, let us take a lesson from history. What occurred in the Seven Years' War? In that war England distinguished herself most gloriously, and her Navy was particularly successful. Smollett, writing of the war of 1760, related how this country had 120 ships of the line, exclusive of fire and other ships, and that notwithstanding this immense armament, and that the enemy had not a ship of the line at sea, yet the enemy were so on the alert with their small ships that they took 2,549 of our merchant ships, as against our capture of 944 of their vessels, including 442 privateers."—[*Ibid.* 1623.]

Has the right hon. Gentleman in 1877 any reply to his illustration of 1862? Of course, the situation of 1877 is not the situation of 100 years ago. All war ships are now steam ships—and we have got hold of such an immense amount of coast line, and of so many points of vantage on this terraqueous Globe, that there are many countries which would find it a difficult matter to prey upon the commerce of Great Britain in almost any sea. This, however, would certainly not be the case with all Powers and in all seas. Is, then, the right hon. Gentleman, after thinking round all possible contingencies, perfectly satisfied with the present state of things; or is he still, as I confess I still am, in the uncomfortable frame of mind which was so well reflected in his very interesting speech of March 17, 1862? Then again, sitting down, he said—

> "Until the whole question was thoroughly sifted, he thought it was premature to come to any decision upon it. But while he asked his hon. Friend to withdraw the Motion, or not press it to a division, he, at the same time, would heartily join with him in pressing the matter on the Government."—[*Ibid.* 1626.]

Now, what the right hon. Gentleman advised Mr. Horsfall to do is precisely what I would do if the Forms of the House enabled me to move my Amendment. I do not in the least wish to take any vote upon it. I have not even used the phrase which Mr. Horsfall used. He said that the subject called for the early attention of Her Majesty's Government. I say that it calls for the careful attention of Her Majesty's Government. I know there are persons to whom one might be opposed who would use the *tu quoque* argument, and ask whether my Friends when they were in power attended to this question. I do not think, however, that that is the right hon. Gentleman's idea of the proper way to carry on Public Business. I think the right hon. Gentleman will see that the last thing I wish is to embarrass his Government, or any other Government, with reference to so serious a question. I wish to leave the matter entirely in the hands of the responsible Ministers of the Crown, in the hope that if, as is extremely likely, before this Eastern embroglio is settled, there may have to be another European Congress, an opportunity may be taken, after full and deliberate consideration, to carry further the reforms which were inaugurated by the Declaration of Paris in 1856. I trust the right hon. Gentleman will be able to tell us to-night one of three things: either that in the 15 years which have elapsed he has found means to answer his own arguments; or that the question will be carefully considered by Her Majesty's Government; or that the Government has come deliberately to the conclusion that, inconvenient as is the position in which we find ourselves, the best course is to let it alone, and to trust to the chapter of accidents. There are not a few things in which the rule *alors comme alors* is the best, but it is so easy a rule to follow that it is apt to be a dangerous one; and Governments harassed and worried by the constant necessity of arranging what is to be done during the passing week are too apt to adopt what I may call the idyllic treatment of great questions, assuring enquirers that everything is going on delightfully, until they are at last brought face to face with a tremendous exigency. I do not assert that this question is one of those; but if the right hon. Gentleman can answer his own masterly speech of 1862, I cannot, and no one else has; and that being so, I think I am justified in recalling the attention of the House to a matter which grows naturally out of the Motion of the hon. Member opposite, and on the right settlement of which interests of the most gigantic kind obviously depend.

MR. JACOB BRIGHT said, the Amendment which he had placed upon the Paper, had, on a former occasion, been supported from the Conservative Benches of that House. Not long ago, Mr. Horsfall submitted a Motion with a similar object. He asked the House to go a step forward in maritime law, and to make private property — ships as well as cargoes — secure at sea. They were now asked by the hon. Gentleman the Member for West Cumberland (Mr. Percy Wyndham) to go backwards—the Parliament of this country was not accustomed to go backwards—and when they were asked to take a retrograde step, the demand should be accompanied by most convincing reasons, and should be made, if it were to have any chance of success, by men of great authority. The reasons which they had heard were not convincing; they had been offered again and again to the House, and no responsible statesman had been affected by them. Who were the men who had raised this question? The most conspicuous were the hon. Member for the Isle of Wight (Mr. Baillie-Cochrane), the hon. Member for West Cumberland (Mr. Percy Wyndham), and the hon. Member for Canterbury (Mr. Butler-Johnstone). None of these men, so far as he (Mr. Jacob Bright) knew, had been connected with the commerce of the country, or had had such experience as would enable them to judge of its material wants. On the other hand, let them look at the circumstances which attended the suspension of our maritime rights in 1854; and let them see on what authority the abandonment of those rights in 1856 rested. Lord Palmerston—commonly held to be the most spirited English Minister of recent times—was a Member of the Cabinet of that day. England and France being the two great maritime Powers of Europe — Powers which could have defended their rights, if they had thought it well to do so—suspended those rights. The debate of 1862 explained this conduct. In that debate, his (Mr. Jacob Bright's) brother, the Member for Birmingham, stated, and said he stated advisedly, that the United States would not tolerate interference with their shipping in search of enemy's goods. This was not contradicted, and in the same debate Lord Palmerston made a broader statement. He said that, on entering upon the Crimean War, to stop and search neutral vessels would create so much heartburning that we might have not only Russia on our hands, but other Powers as well. The hon. Gentleman the Member for West Cumberland supposed that the Government was acting under the influence of the Manchester School. There never was a greater mistake. In 1854 the Manchester School was trodden under-foot; it was submerged by the passions of the people; the English Government had yielded to influences of a different kind. Free trade, railways, steam ships, and kindred influences had carried us a long way from the world of Lord Nelson. The commerce of this country at the beginning of the century was much less than £100,000,000. In 1854 our exports and imports amounted to £200,000,000 sterling. After two years' experience of a great war, with a knowledge of the facts bearing on this question greater than could be possessed by any individual Member of that House, England and France joined the European Powers and signed the Declaration of Paris. But before doing so the Plenipotentiaries made the following statement:—

> "That maritime law in time of war has long been the subject of deplorable disputes.
>
> "That the uncertainty of the law and of the duties in such a matter gives rise to differences of opinion between neutrals and belligerents which may occasion serious difficulties and even conflicts.
>
> "That it is consequently advantageous to establish a uniform doctrine on so important a point."

But the hon. Member opposite (Mr. Percy Wyndham) said, we had not succeeded in this because the United States refused its signature; but as the main article of the Declaration of Paris was that which affirmed that enemy's goods were safe in a neutral ship, and as the United States had always contended for that principle, so far at least there was an agreement among the maritime Powers. He had spoken of the forces which operated upon the English Government in 1854, but what would be the forces which would press upon the Government now, if they were in the face of a great war? In 1854 the aggregate commerce of England, as he had said, was about £200,000,000 per annum — in 1875 it amounted to £650,000,000, so that in a period of about 20 years their commerce had trebled. The commerce of some other countries had increased in like proportion. The hon. Member for West Cumberland and those who were associated with him were ignorant of the nature of the struggle in which they were engaged. They fancied they had only to deal with the work of half-a-dozen diplomatists who sat round a table in Paris in the year 1856. Those diplomatists did not create the difficulty against which hon. Members were contending. They found it, and simply registered the fact. The hon. Member was really contending against a changed condition of the world, against the influences of an expansion of commerce so vast, that even 30 years ago the most sanguine men could not have dreamed of it. The House would remember a story from the *Arabian Nights* of the Afreet and the jar. A fisherman pulled a jar out of the sea, removed the seal from its mouth, whereupon a vapour came forth which assumed the form of a gigantic being, who said that he had taken a vow to kill the man who should set him free. When commerce was made free, as it had been in more senses than one in our time, it was destined to destroy war, and step by step it would accomplish that object, unless, like the poor Afreet of the story, it should be persuaded to re-enter its jar and assume again the fetters which the hon. Member sought to impose upon it. But if it were possible for them to go back to the old state of maritime war, it would be of no advantage to England. Owing to the railway system, countries that were not insular, Continental countries which had neighbours, could transact the whole of their commerce through those neighbours. Let us suppose that we were at war with Germany. Germany might carry on the whole of her export and import trade without having a single shilling's worth of property at sea. Her neighbours could import everything she wanted from abroad, and again these same neighbours could purchase from Germany all that it was necessary for her to export. As a matter of fact, during the Russian War, Prussia did Russia's business with the outside world. But the courage and ingenuity of the hon. Member for Canterbury never failed him. The hon. Member had published a little book on *Maritime Rights*—a clever book, but in his (Mr. Jacob Bright's) opinion not a wise one—he said there that there was a weapon in the arsenal of our maritime rights which enabled us to meet the case which he (Mr. Jacob Bright) had put before the House. The hon. Member asked them to claim the right to capture enemy's produce at sea; he would seize neutral goods on neutral ships if those goods had originated in the enemy's country; he would require, therefore, neutral ships to have certificates of origin. Such certificates had been employed for fiscal purposes to meet the case of differential duties; and he had been told that the system worked badly, but he would undertake to say that there were not 10 men in that House, or even in the City of London, who would on this question endorse the views of the hon. Member. If they were to go back in this matter they would gain no advantage, but, on the contrary, they would place the country in peril. What was their position in the matter? Theirs was an insular country, and they were the only country in the world having merchandize to the value of £650,000,000 per annum, which must necessarily be exposed in war to the attacks of perhaps a third-rate Power, which by sending out a number of rapid steamers could disperse their enormous commerce. He asked the House to consider the circumstances of this country in relation to others. There was scarcely another country in the world that could not feed its own people from the produce of its own soil, whereas they had in the United Kingdom 15,000,000 of people depending upon other nations for the larger portion of their food. That food had to cross the seas in order to reach our ports, and the raw material of most of our manufactures had to cross the seas also. When this raw material was worked up and made costly by means of capital and labour, it had to re-cross the seas to be given in payment for the food they imported. In fact, they lived in a glass house which was exposed on every side. They could not avoid the exposure and the risk, whereas every other country could protect itself by transacting its commerce through its neighbours. Some Petitions in favour of the Motion of the hon. Member had been presented that night, one from Manchester, where, he was told, there had been a meeting on the subject. He should like to know how many signatures there were to those Petitions. And, with regard to Manchester, he knew that the question had hitherto been treated with indifference, because it was not supposed that anything serious was likely to come of it. If, however, it should become serious, their great centres of industry would demand that commerce should be secure at sea. Under the Declaration of Paris it was secure. If they were at war, the shipowner would have to retire for a time from business; but commerce would go on with but little disturbance, although at some extra cost, which, however, would gradually lessen. He had endeavoured to show that they could not go back—that if they could go back, it would give them no more power to coerce an enemy; that the only result would be to place themselves in peril. And now he came to the point in which he agreed with hon. Members opposite—they could not remain where they were. If a dispute arose which made war probable, the telegraph would convey the news to the most distant ports in an hour, British shipping would be everywhere set aside, and neutral vessels would receive the freights. In case of actual war their ships would be transferred, or remain idle; but the difficulties of transference were greater than were generally supposed. By the law of the United States, and of some other countries, foreign-built ships were not allowed to be registered. It had been asserted that the loss of their carrying trade in case of war would be irreparable, and the United States had been instanced in proof of this assertion. The slowness of the recovery of the American shipping trade had been owing more to their high tariffs than to any other cause, as it had been impossible to build a ship in America as cheaply as in other countries. America had, however, to a large extent, regained her old position. By the Report of the Register of the Treasury of the United States, of December, 1874, he found that their tonnage now exceeded 3,000,000, and in this figure he did not include the shipping on the western rivers or on the northern lakes. It would be seen, therefore, that the shipping of America to-day was nearly equal to half that of the United Kingdom. Their position, however, was serious enough. In case of war with a maritime Power, for the first time in their history, the British flag, so far as merchant vessels were concerned, would disappear from every sea. An arrangement had been made by which their commerce of £650,000,000 per annum would be carried with perfect security, so long as it was not found in British ships. That might be statesmanship, but it was not statesmanship by which he should be willing to be guided. It appeared to him to be the work of incapable men, who were either unable or unwilling to face the facts which surrounded them. If their vast merchandize was to be carried safely—and that was the arrangement we had made—it should be carried on British ships. That was the meaning of the Amendment which he had put upon the Paper. He had sought for the objections to the proposal that all property, except contraband of war, should be secure at sea and he could find none which appeared to him to have force; but he would briefly refer to the two which were held to be the most formidable. It had been said that a nation should not be at peace on the seas whilst its Government was at war. Mr. Mill, the present Prime Minister, and others had endeavoured to show in eloquent language how, in such circumstances patriotism would decay, and States would fall. That argument told with equal force against their present position under the Declaration of Paris, as now, if the Government were at war the nation would be at peace on the seas. But it was impossible for a Government to be at war and a nation at peace. In the Crimean War the income tax was 1*s.* 4*d.* in the pound, and seeing that the tendency was for wars to become more costly and that we had given up sources of income which the Chancellor of the Exchequer formerly possessed, the next war might give them an income tax of twice 1*s.* 4*d.* in the pound. Those therefore who had most influence in the Government of the country would be made conscious of the existence of war. But wherever English soldiers were doing battle, wherever her seamen were engaged, there the attention of England would be fixed and her sympathies powerfully excited. The second, and that which was held by his opponents to be the prime objection to the proposal that all property should be secure at sea, was, that by such a step they would give up the power to damage or to coerce an enemy. Nobody attempted to make that clear and, it seemed to him to be a delusion. By the Declaration of Paris they had already abandoned that power—they had been compelled to give up the substance and they were now feebly grasping at the shadow. If by these inevitable changes the area of maritime war should be diminished he could not regret the fact. One thing was a matter of satisfaction to all of them—that the security of private property at sea would in no respect lessen our defensive power; in fact our ability to defend ourselves would be increased by these changes, for as their commerce would no longer need protection, every ship belonging to the Queen's Navy might be set at liberty for the defence of the Empire. The hon. Member for Canterbury had said that with the abandonment of England's maritime rights all that was great and noble in England's story would close. ["Hear, hear!"] He (Mr. Jacob Bright) saw by the cheers of the hon. Member that he still adhered to that sentiment. Let him ask the hon. Member the question — was there no English story of the 19th Century, which so far as they were concerned had been for the most part a period of peace? He had a strong conviction that their peaceful triumphs during the comparatively short period of the Queen's reign in every direction in which the human intellect could travel would be regarded hereafter with greater pride than all the bloody trophies of war.

Mr. BENTINCK said, that in his opinion, the arguments put forward by the two last speakers told rather against than in favour of the views they advocated. The hon. Member for Elgin (Mr. Grant Duff) rested his hopes of a satisfactory settlement of that question on an international agreement among all the Powers of Europe; but his expectation of such an agreement appeared quite visionary and Utopian. It had been remarked that Lord Clarendon, in assenting to the Declaration of Paris, had exceeded his instructions; but, as far as he (Mr. Bentinck) could understand the matter, Lord Clarendon had acted without any instructions whatever from his Government on the subject, and there was no evidence forthcoming that he had any authority to commit this country to that Declaration. The hon. Gentleman opposite, the Member for Manchester (Mr. Jacob Bright) had admitted, and it was one of the strong points of the case now submitted to the House, that the consequence of that Declaration would be to transfer all the carrying trade of this country to neutral Powers. It would be the ruin of the commercial industry of this country, and if that was not enough to rouse the indignation or the apprehension of Englishmen he did not know what would. The hon. Gentleman had talked of the difficulty of blockading, owing to steam power and other causes; but that only showed that they ought to be in a position to seize their enemy's goods whereever they could find them. The greater facilities their enemy had for disposing of his goods by commercial operations, the more necessary it was that they should have the power of seizing them at all times and in all circumstances. It had been asked by the hon. Gentleman what would they gain by withdrawing from the Declaration of Paris? but the first question they had to think of was what would they lose, if they did not change it? If they entered into a war hampered by the obligations of that Declaration, their position would be perfectly untenable, and the people of this country would not submit to it for a day. The hon. Gentleman himself admitted that if they went to war hampered by the Declaration of Paris, the carrying trade of the world would pass away from them, and their means of defence would be crippled. [Mr. Jacob Bright: I said our means of defence would not be diminished.] He was very glad to hear such language from the hon. Member, who, so far as he was aware, had hitherto argued in favour of decreasing the defences of the country. Besides, it was quite enough to have the admission of the hon. Member for the Elgin Burghs and the hon. Member for Manchester, that the effect of their embarking in a war hampered by the Declaration of Paris would be to drive the commerce of this country into the hands of neutrals. If that consideration did not suffice to bring those hon. Members over to his views nothing would. He thought, then, that the first necessity that would be forced upon the Government of the day when such a war arose, would be upon the instant of its declaration to withdraw from the obligations incurred under the Declaration of Paris. The conduct of the Government of this country at the time of the Crimean War led to the expenditure of £100,000,000, and the loss of 70,000 men, whereas by departing from the views of the Manchester School, by efficiently blockading the Russian ports, and by the seizure of the enemies' goods, under any and all possible circumstances, in precise contradiction of the principles of the Declaration of Paris, they might have brought the war to an end in six weeks without firing a shot or losing a life. The experience of that time ought to be their guide now. Were they unhampered by the Declaration of Paris, Russia, he believed, would never risk a war with them; at all events, if the Government would at once give notice that England withdrew from that Declaration, war would become improbable, if not impossible. At the present time they had a perfect right to rid themselves of the obligation imposed upon them; they could do so honourably and in good faith. But on the other hand, if they did not, and war should break out within the next few months, they would be driven by sheer necessity to adopt that course, and would in that case subject the country to the imputation of having dealt unfairly to neutrals. Russia's first step upon the outbreak of a war would be to issue letters of marque; and was it to be supposed that the people of England, who possessed that power a hundred-fold, would quietly submit to its enormous resources being left unused. How would they be able to meet such a state of things? The opinions of Lord Nelson in the past, and Lord Stratford de Redcliffe, the Earl of Derby, Earl Russell, and all our leading statesmen were opposed to the Declaration. His conviction was that, whatever decision the House might come to on the question, the question was one on which, in a very short time, so far as that country was concerned, would mainly depend the issue of peace or war. Be that as it might, this he maintained without fear of contradiction, that upon the decision which the House came to on the Motion before it, must depend the question whether England, in the event of war, was to fight with her hands tied, or put into operation the boundless resources which she possessed. That difficulty they might avoid now by withdrawing from a Declaration which no man could say had been authorized by the Crown or by Parliament, and which all the ablest men of the country had denounced as ruinous to their mercantile power. It was his firm conviction that if the views of the hon. Member opposite (Mr. Jacob Bright), whose philanthropic feelings were so well known, were put into practice, he would have succeeded in establishing the most horrible source of human suffering which had ever been devised. If they wanted to terminate war they must, in the old language of the Orders issued to our men of war—"Burn, sink, and destroy," and the more that was acted upon, the more they would be acting in the interests of humanity. He was surprised that an hon. Member who held such philanthopic views should advocate a state of things which would make war interminable and cause ten-fold more bloodshed.

MR. EVELYN ASHLEY said, it was both right and natural that a question such as that before the House, affecting interests most dear to Englishmen—he meant the naval supremacy of their country—should excite earnest thought and active discussion. He confessed, however, that the more he heard and the more he considered the reasoning of those who would recall England's pledged assent to the Declaration of Paris, the more convinced was he that their political conceptions were faulty and their patriotic terrors baseless. The fancy picture which they were in the habit of drawing was something to the following effect:—Scene, Paris; in the dark background a knot of hostile and intriguing Powers; in the foreground two cowering English Plenipotentiaries meekly surrendering at the bidding of these military plotters the might of Britain's right hand without the cognizance or the authority of their Queen or country. On the reverse side of that same fancy picture the future was delineated. There England was to be seen, crippled and powerless, tossing helplessly on her own seas, while the jeers of her foes loudly testified to her folly in having abandoned, for no adequate consideration, her one weapon of defence. Whether the House looked upon "this picture or upon that," he ventured to think that, whatever skill they displayed, they were not true to nature. The history of the Declaration of Paris was the history of a deliberate recognition by the Rulers of England that circumstances had so altered our relations with the rest of the world that it was no longer possible for us to enforce—even if we continued to assert—the high-handed rights which by means of superior strength we had in former times vindicated upon the common seas. They then proceeded, as sensible men, to consider whether either our dignity or our interests were promoted by a barren assertion of impossible rights, or whether it would not be more conducive to both that a solemn renunciation of obsolete claims should coincide with a similar abandonment by other and powerful nations of the barbarous practice of the private levying of war, by which the scourings of any petty inland State might burst out as a horde of pirates to harass the commerce of some mistress of the seas. Anyone who was acquainted with the old history of privateering would, he thought, hardly fail to rejoice that it should be put an end to; and when the hon. Member for West Cumberland (Mr. Percy Wyndham) asked what, if America were to send out privateers against us, England was to do under the circumstances, his (Mr. Ashley's) answer was that the Declaration of Paris was not binding except between the Powers who had given in their adhesion to it, and that it was a misapprehension to say that its operation would be to tie one of our hands, while America, if at war with us, would be entitled to have both hands free. The fact was, that when the French Government proposed to the English Government that as the Congress of Westphalia had given the sanction of the civilized world to the newly-won principle of freedom of worship; as the Congress of Vienna had done the same for the abolition of the slave trade; so the Congress of Paris should sanction the actual freedom of neutrals from belligerent hindrances to legitimate commerce—the Advisers of the Crown, not from any spirit of abstract benevolence, but from a broad and statesmanlike view of the matter, and from a wise appreciation of England's real interests, consented to the proposal if privateering was at the same time abolished, and if it was also declared that the engagement should not be binding as against those who declined to accede to all the four points. This was done with the knowledge and consent of the Crown and of the whole Cabinet. It was a compromise based upon statesmanlike views as well as upon the necessities of the case, for though we had not arrived at the Millennium, still we had gone so far in that direction that peace was the normal, and war the abnormal, condition of Europe, and this fact thus found expression in the giving more protection to neutral commerce on the ocean. In future, wars would be short, sharp, and decisive, and it could no longer be tolerated that when two ambitious Powers went to war, all the peaceful bystanders should be disturbed in their commercial relations during the short delirium of those two Powers. When at peace, therefore, England must be a great gainer by the Declaration; but there were also counterpoises to the sacrifices we should have to make in time of war under the Declaration of Paris, like when a man in old times put on a suit of armour, he sacrificed some of his activity in attack in return for increased means of defence. It laid down, for instance, that blockades to be real must be effective, and this might be of great service to us should an enemy try to establish a blockade, say, in some of our distant colonies, and as to the abolition of privateering there was no country that would lose less by that than England, because if a war occurred we should be able to take our large merchant steamships, man them with our naval officers and men, commission them, and thus have at once an impromptu fleet worth all the privateers in the world. Besides which, as it had been stated by the authorities on the point, the development of steam had made the convoy of ships easier than before. We should be able to protect our own commerce without having resort to neutral bottoms. With regard to the proposal of the hon. Member for Manchester (Mr. Jacob Bright), he was not prepared to accept it. The Declaration of Paris made no distinction between private and public goods, and so far did not advance the question in the direction of immunity for private as opposed to public property. No doubt in war on land private property was protected from the disorganized attacks of an army. The rule had been adopted from motives of expediency; but war on land was in reality an organized raid on private property, inasmuch as the attacking army sought to place itself in the position of the governing authority, and to make its levies on private property in the form of taxes, instead of in the form of plunder. He denied, therefore, that we could take any example from the action of land forces. It remained for us to say whether we should make any new departure for our naval operations. He thought we should not, because we should thereby protract war and degrade it into a duel between two hired combatants.

LORD ESLINGTON said, that, in offering a few remarks to the House, he hoped that he should not come under the ban of the hon. Member for Manchester (Mr. Jacob Bright), who had said, in his own words, that three hon. Gentlemen who had spoken on the Ministerial side of the House had no right to speak on the question, because they were not connected with commercial constituencies. He (Lord Eslington) endeavoured to represent faithfully a constituency which was both commercial and maritime. No one, he thought, could have followed the debate attentively without being struck by the extreme difficulty of the position in which the nation was placed by the Declaration of Paris. But there was another point for Parliament to consider — namely, the position in which the House was placed that evening. The position of the House in respect to the three Motions before them appeared to him to be rather a natural reflex of the difficult position of the nation. The three Motions were very embarrassing. The hon. Gentleman who sat near him, and to whom a well-merited tribute of praise had been accorded (Mr. Percy Wyndham), told us that we must back out of this difficulty. Another hon. Gentleman sitting on the Opposition side (Mr. Grant Duff) had a Motion which was a little difficult to understand, but which rather seemed to throw on the Government the responsibility of the position in which we were placed, though he admitted that the hon. Gentleman's speech took a much wider scope. Then the hon Member for Manchester (Mr. Jacob Bright) said we had nothing to do but to go on. The latter Motion was by far the most logical of the three; but we were told by an eminent statesman not long ago that there was no such thing as logic in politics. He (Lord Eslington) wanted to ask this question—" Can we go back?" Retrogression in Parliamentary action was almost impossible; but, on the other hand, Parliament had had nothing whatever to do with this Declaration. Parliament had never sanctioned it. Parliament had never been even invited to discuss it; but it was the action of the Liberal Government of the day who had placed it in this position, and therefore the hon. Member for West Cumberland had a powerful weapon in his quiver when he said it was not a question of the Parliament of the day taking a step backward, but of the Ministry of the day doing so. In regard to any action of that kind being taken by the Government now, his (Lord Eslington's) objection to his hon. Friend's Motion mainly lay in the moment chosen. This one was always a convenient Parliamentary argument, but it was a particularly strong one now. Supposing the matter to be left, as it ought to be, in the hands of the Government, we could not stay where we were. Supposing the Government to approach the other signatories of the Declaration of Paris and propose to withdraw, they would say—"Twenty years have elapsed since this Declaration was made. Parliament has never sanctioned by a vote the course that you are asking us to take; and, moreover, in the course of those 20 years there have been four great European wars." It might be said to England—"You have been a neutral in each of these wars and have derived during that time all the advantages of a vastly extended trade which the security given to the neutral flag confers; and now that you see in the remote" [and he trusted it was very remote] "distance a faint glimmer of a prospect that you may become a belligerent, you want to back out of your Declaration." That would be a nasty sort of answer to receive from foreign nations; but he was afraid it would be the sort of answer which would be conveyed to Her Majesty's Government in diplomatic language, if they proposed to recede from the Declaration at this moment. His objection to the Declaration of Paris was that it commenced with a very flagrant misstatement. He said it with all deference to the great statesmen who joined in the Declaration, but the first statement was "that privateering is and remains abolished." He repeated that it was a misstatement and the coolest assertion that was ever made, and like many other cool assertions it had no real truth in it. How could any group of European States venture to say that privateering was abolished when the United States of America were no parties to the Declaration? If the eminent diplomatists who were parties to the Declaration had appended to it the two little words "between ourselves" there would have been some kind of truth in it; but to declare it abolished, when the great States of America were no party to it, was an assertion to be taken only for what it was worth. Now, what was the position taken by America upon this question? In 1854-5, two years before the Declaration of Paris, President Pearce alluded in his Message to Congress to a suggestion made to Prussia as to neutral rights, and said—

> "If Europe would join in proposing, as a rule of International Law, to exempt all private property from capture at sea by armed cruisers, the United States would readily meet Europe upon that ground."

When, therefore, England approached America two years afterwards, the Americans simply replied in the spirit of this Message, by proposing the absolute immunity of private property at sea, and, as we declined to entertain that proposal, they took off their hats and declined ours. This was the position taken by a great Power—great, too, in the art of privateering — a people which ranked with ourselves as the boldest and most skilful navigators, the hardiest sailors, and who were remarkable for the extraordinary speed they had acquired in the construction of their ships. Moreover, without wishing to say anything disrespectful concerning them, their boldness and love of adventure made them fonder than he thought a wise people should be of filibustering expeditions. It was, therefore, a standing menace to the commerce of the world when a State like America held aloof from such a Declaration. Therefore, he maintained that the action and the statement of these diplomatists was an unwarranted statement. Having glanced at the advantages which England enjoyed as a neutral under the Declaration, he would now consider her position as a belligerent. In his opinion that position was dangerously hampered by the terms of the Declaration of Paris. He entertained the gravest doubts whether it would be competent even for England, in case of war, to protect in every sea and upon every coast her 8,000,000 tons of shipping. But it would not be the enemy's cruisers or guns which would then ruin English commerce, it would be the war premiums.

Nobody at all acquainted with commercial affairs could be blind to the dangerous position of English commerce, on behalf of which he was now speaking, in the present state of this question. It would inevitably pass in a great degree into the hands of neutrals, owing to the security which, under the Declaration, would be given to neutral flags; and experience showed that it was much easier to lose a great trade than to regain it. He was alarmed, therefore, at the position of England if she became a belligerent. The maxim that free ships made free goods had been to his great astonishment described as a modern theory; but it was a very old principle indeed, and had always been upheld by the great carriers at sea for the time being. More than 200 years ago, in 1650, the Dutch based a Treaty with Spain upon this principle. England followed suit two years afterwards, and in 1654 adopted the same principle in a Treaty with Portugal; and in a subsequent Treaty with Holland she again adopted the principle of free ships, free goods. The House had also been reminded by his hon. Friend opposite (Mr. Grant Duff) that after the Peace was concluded Mr. Pitt framed his Commercial Treaty with France upon the same principle, and he did not think that any Conservative Government or Party need be ashamed to follow in the path trodden by that great statesman. And now a word or two on the proposition of the hon. Member for Manchester (Mr. Jacob Bright). He wished to point out that even the peace-loving Member for Manchester in framing his Resolution for granting immunity to all private property had introduced this most important qualification — "with the exception of contraband of war." Now it would be a very bold man who would get up in that House and say what was contraband. He (Lord Eslington) apprehended it would include a very long and formidable list of articles, at the very top of which would stand our two great staple articles, the natural products of England, coal and iron. Well, then, the hon. Gentleman would maintain the right of search for contraband of war, and thus rouse the susceptibilities of the most susceptible of nations, at the head of whom might be placed the United States. That very thing would be sufficient in itself to induce him to refuse to vote for the proposal of the hon. Member for Manchester. In the course of the hon. Gentleman's speech he dwelt upon an argument of the late Mr. Cobden, who always talked of confining war to defensive operations. Now, he (Lord Eslington) could not understand how war was to be carried on in that manner. You might just as well tell a man engaged in a duel *à outrance* and with a rapier in his hand that he must content himself with parrying and not attempt to thrust. On such terms the finest swordsman in the world might be killed by a less efficient adversary. It appeared to him (Lord Eslington) to be absurd, because the most effectual self-defence was to know when to deal a well-timed and a well-directed blow so as to disable and destroy one's enemy. He might be told, and it might be thought that was an immoral argument; but he found a consolation in the idea that self-defence allowed a nation as well as an individual engaged in a death-struggle to employ the means which he thought best and most effectual to win. He had observed, and with regret, indeed, that in times of peace great nations were apt to disregard Treaties and great statemen to encourage them in doing so; and were we to be told that if we were engaged in a life and death struggle with one great Power, or possibly with a combination of Powers, we should permit the Government of the day to be bound by a diplomatic declaration? He did not for one moment believe anything of the sort. But at the same time, as long as we could keep our honour by observing to the best of our ability this Declaration, by all means let us do so. Then, on the other hand, came what he might call "the crippling argument." It was said we must insist upon the permanent exercise of our old maritime rights, because we must cripple our enemy. He was rather sceptical about this crippling argument. In the first place, the state of the world had totally changed with regard to the conveyance of merchandize, and no matter how they blockaded the coasts or harbours of a country, if people wanted merchandize they would get it, though it might be at an increased price. Then, again, and the point seemed to have escaped observation, they could not seize a large amount of property on the sea, or in any part of the world, without running the risk and almost incurring the certainty of seizing

English property, because there was scarcely any part of the world in which a considerable amount of English property was not to be found, and if they insisted on carrying out that principle they would have a heavy bill to pay to their own countrymen when the war was ended. In conclusion, he would only say that the House to-night was in a difficult position, from which he hoped they would be rescued by refusing to entertain any one of those three propositions. This was a matter in which the House had not involved itself, and it was one for the Government to deal with. At present we could not call upon our able Foreign Minister, overburdened as he was, to charge himself with a question of this kind; but once the threatening cloud of war had passed over, he (Lord Eslington) had such confidence in his discretion and prudence and his known views, that we might trust him to take fitting steps to redeem his country from a position of excessive difficulty, almost amounting to embarassment, so great as to puzzle the best and ablest statesmen who had considered the matter. They might trust him to choose his own time, to declare that the time had come when England must *ex necessitate rei* retire from the engagements imposed upon her by the Declaration of Paris.

LORD EDMOND FITZMAURICE said, that the hon. Gentleman (Mr. Baillie Cochrane), who had seconded the Amendment of the hon. Member for West Cumberland, criticized what might be called the manner of the Declaration of Paris, and the hon. Member for West Cumberland had criticized the matter, and his noble Friend who had just sat down (Lord Eslington) had done both. He (Lord Edmond Fitzmaurice) would say a few words on those topics, for as for the argument of the hon. Member for West Norfolk (Mr. Bentinck) he felt quite unable to reply to it. He did not see the bearing of his argument on the Declaration of Paris. The hon. Member told them that had he been at the helm at the time, the Declaration would not have been made, and had he been Lord High Admiral the war would have been ended in 10 or 12 days. That was, no doubt, perfectly true, but quite irrelevant. What was the question which the House had to decide? It was whether, after a few hours' debate, they were to reverse a policy sanctioned by the experience of 20 years, openly endorsed by the greatest statesmen and lawyers of the Liberal Party, and tacitly sanctioned by those of the Party opposite, who had originally objected to it. Certain slight admissions he would make to the hon. Member, as regarded the manner in which the Declaration of Paris was negotiated, and the shape in which the Declaration was attached to the Treaties of that year. They were points strongly dwelt upon at the time, by nobody more forcibly than by the right hon. Gentleman the Member for Greenwich. He said—

> "I should like to know what is the exact force or value that belongs to those records that are inscribed upon the Protocols. Are they Treaty engagements? Certainly they are not. Do they approximate to the character of engagements? If they do, how near do they come to it? If they do not, how far are they from it? If they do not partake at all of the nature of engagements, what are they? They are authoritative documents. Those who like them may claim them as allies and powerful auxiliaries. Those who do not like them may endeavour to depreciate them. Infinite discussions may arise upon their character. Plenty of room for difference of opinion and debate, and I am afraid plenty of risk of something like confusion in international rights and arrangements, will be supplied by these semi-authoritative records, to which no man can give a certain character, and to which every man may give whatever character he thinks best."—[3 *Hansard*, cxlii. 101-2.]

But, after all, between a Protocol of the character just mentioned and an additional Article the difference was but slight, and additional Articles on points separate and apart from the main subject-matter of the Treaty were not unknown in diplomacy—as, for example, the additional Article of the Treaty of Vienna relative to the abolition of slavery. Then, again, as regarded the instructions of Lord Clarendon. It was true that the subject-matter of the Declaration of Paris was not included in his original and formal instructions. But this, again, was not without precedent. In 1782 the instructions of the English Envoy at Paris did not include all the points which were finally settled in the Treaty of Versailles of 1783, but the new points were conveyed by ministerial letters to the Envoy. The same was the case with the subject-matter of the Declaration of Paris. Although the conduct of Lord Clarendon was criticized at the time it never was censured, nor had the results of it ever been destroyed. On the contrary, when in "another place" an attempt to censure him was made, that attempt, though supported by all the eloquence of the late Lord Derby, failed, and failed conspicuously. The only true course, he believed, in treating any question of International Law was that of considering it from the point of view of the opinions of jurists, of the provisions of Treaties, and of the reason of the thing. Now, as regarded the jurists the case was this. When they were stating the law as it was, no doubt they laid it down that by the ordinary rule of maritime law, as contained in the *Consolato del Mare*, the neutral flag did not cover the enemy's goods; but when they came to consider what the law ought to be, then for one jurist whom the hon. Member opposite could quote on one side, he could quote as many on the other—such men, for example, as eminent as Hubner, Klüber, De Martens, Hautefeuille, Ortolan, and Rayneval. As regarded Treaties. Any person listening to the hon. Member would have supposed that the immemorial practice of this country had been to act on the supposition that the enemy's goods were liable to seizure on board the vessel of a neutral. What, however, was the case? It was perfectly true that up to about 1650 the Treaties negotiated by England did not recognize the principle of free ships free goods. But with the middle of the 17th century a change began. In 1655 the Treaty negotiated with France by the Protector contained a clause recognizing the principle of free ships free goods; so did the Treaty of St. Germain en Laye in 1677; and finally, in 1713, the Treaty of Utrecht contained a clause to the same effect, of a most decisive character. But, as the House was well aware, the Treaty of Utrecht was very closely followed by a change of Government, and in the balance of parties. The Party which succeeded to power and ruled England uninterrupted till 1761 was profoundly averse to free trade. They succeeded, by an Address to the Crown, in making the 8th and 9th clauses of the Treaty of no effect, and then the question arose whether the remaining commercial clauses of the Treaty, the 17th amongst others, were binding as between the parties; and although the subsequent Treaties of Aix la Chapelle of 1748, and Paris of 1763, purported to confirm the Treaty of Utrecht, the point really remained unsettled till 1786, when Mr. Pitt negotiated the Commercial Treaty with France, and in that Treaty the 17th clause of the Treaty of Utrecht was repeated verbatim. Thus it could not be said that the principle of free ships free goods is in any way a new one even in the annals of England. As regarded indeed, other countries, he could carry this argument a great deal further, and using the great mass of facts which the late Sir William Molesworth collected on this subject, he could show to the House that of the 130 chief international agreements contracted between the principal Powers of the civilized world, between 1650 and 1790, no fewer than 119 contained the principle of free ships free goods. But as the debate concerned England, and England only, he would put that aside. But he might be told that in most of the Treaties which he had mentioned the rule, free ships free goods was accompanied by its supposed corollary enemy's ships enemy's goods, and that, therefore, if the one were adopted now, so must be the other. It would, perhaps, be a sufficient answer to point to the fact that the armed neutralities of 1780 and 1800, and the Declaration of Paris itself, did contain the first proposition, but not the second. A little consideration, however, would show that there was no real connection between them, and to suppose that there was, was to allow the ear to be caught by what Sir William Molesworth, in the speech to which he had already alluded, had called the jingling of a verbal antithesis, and Mr. Dana, in his notes to Wheaton, had denounced as a mere cantilena. He had shown that the Treaty of Utrecht contained not only a clause recognizing the principle of free ships free goods, but also clauses recognizing the principle of free trade, and nothing was truer that this—that the policy of this country on this question of neutral rights had varied with its commercial policy. A distinct re-action in favour of neutral rights began in England after the publication of the *Wealth of Nations* by Adam Smith. Under the Colonial system it had been the policy of all European Governments to foster their navigation by giving to their own ships exclusive privileges in trading with their own Colonies. Gradually ships of foreign States were allowed to trade directly to and from their own country with the Colonies of other States, and at length foreign States had been permitted to enjoy the carrying trade between a country and its Colonies. What was known as the rule of 1756, which prohibited a neutral in time of war from carrying on a trade which was not permitted him in time of peace, then practically died a natural death. As the old mercantile and Colonial system began to give way, the chief supports of the old doctrines as to neutral rights gave way too; and England, looking forward to the time when her own carrying trade would be the greatest in the world, had to ask herself whether a doctrine was worth preserving which condemned her trade to a serious disturbance every time a war broke out in Europe, in which possibly she had not, and never could have, an interest, except in the termination of it. The answer was in the negative. The Navigation Acts were finally repealed in 1849. The Declaration of Paris followed within seven years after. There was yet another point in view which was worth attention. When the principle of free ships free goods was disregarded by this country, it was not found possible to stop there. The time was one when privateers were recognized by the Law of Nations; when paper blockades existed; when the definition of contraband of war was stretched till it was made to include provisions; when the right of search was exercised against ships sailing under convoy; when in the time of the French Empire, France and England—the former by the Berlin and Milan Decrees, and England by the Orders in Council—engaged in the mad enterprize of trying to destroy, once and for all, the trade and commerce of their foes. They cut off their noses in order to spite the faces of the enemy. But how could the hon. Member opposite and his Friends have objected to any one of these practices? Their premises were that war should be made as terrible as possible, and the commerce of the enemy be struck, as being their most vulnerable point. The Orders in Council and the Berlin Decrees were the logical consequences of these premises. England must recollect, what the hon. Member opposite seemed rather willing to forget, that privateering was abolished by the Declaration of Paris, and that even if all be said about the question of free ships free goods were true, then that inestimable advantage would still remain. Lord Palmerston said, in 1856—

> "Tell me any war in which any country was ever induced to make peace by the principle that free bottoms should not make free goods. The fact is, that wars are carried on by fleets and by armies—by the destruction of fleets at sea and by military operations and the capture of strongholds on land. But the idea that the results of war depend on the capture of an enemy's goods on board of neutral bottoms can only originate in a mind wholly unacquainted with the most familiar lessons of history. On the same principle, you might justify the ravages in the Palatinate, and the burning of towns, and the massacre of their inhabitants. But the moderation of recent times has pronounced such practices to be odious; and I am satisfied that these relaxations—so far from depriving us of any weapons to be used in future wars—will be likely to attract to us the sympathies of other countries."—[3 *Hansard*, cxlii. 129.]

And this brought him to another of the allegations of the hon. Member. After reciting what everyone would agree with — namely, the desirability of a uniformity of doctrine and practice in respect to Maritime Law in time of war, and of a general assent of all the maritime States to the new doctrines—he proceeded to recite the fact that the United States had not acceded to the Declaration of Paris, and that consequently in time of war this country would be placed "at a great and obvious disadvantage in the event of hostilities with the United States." Now, he supposed what the hon. Member meant was this—that in the event of war between England and the United States, while the United States would be able to seize English goods on board the vessels of any Power whether, a party to the Declaration of Paris or not, England would be estopped from seizing the goods of the United States on board the vessels of Powers who were parties to it. Nothing of the sort. The obligation England under the Declaration accepted was simply this—that in the case of war she would not seize the goods of a belligerent, also a party to the Declaration, on board the vessels of Powers parties to the Declaration, and this was the interpretation of the Declaration accepted by jurists and explained by Treaties—accepted, he might add, by American jurists and enshrined in American Treaties. Mr. Dana said—

> "If a nation, party to the Declaration, is at war with one which is not, the former is not

> bound to abandon its right to take its enemy's goods from vessels of neutral nations which are parties to the Declaration."

And in the Treaties of 1819 with Spain, with Columbia in 1824, and in other Treaties with the South American States, which contain the principle of free ships free goods, the United States deny to Governments which do not recognize the principle themselves the right of taking advantage of it. The words of the Declaration themselves might, however, be taken as final on the subject.

> "The present Declaration is not and shall not be binding except between those Powers who have acceded or shall accede to it."

But the matter did not end there. Let him consider the case of a war between two countries, both parties to the Declaration. What would then be the position of neutrals, not parties to the Declaration? They would be liable to have the goods of one belligerent carried on board their vessels seized by the other belligerent, while the neutrals, who were parties to the Declaration, would not be so liable. He was aware that Mr. Cass, on behalf of America, had objected to this interpretation, on the ground that a country not party to the Declaration should not be injured by it. This, however, was not a fair statement of the case. All that was denied to countries not parties to the Declaration was the right of claiming its advantages. Consequently, so far from the position of the hon. Member opposite being correct, the opposite held good, as he had shown that a Power not party to the Declaration gained nothing as a belligerent, and stood at a positive disadvantage as a neutral. He hoped he had shown that whatever were the evils of the Declaration of Paris, they were not those imagined by the hon. Member. It might, however, be said that whatever was the case when England was a neutral, the Declaration of Paris had overwhelming disadvantages for England as a belligerent. When war broke out it was tolerably certain that the vast trade of England, carried on in vessels the numbers of which were counted by thousands, and the tonnage of which was numbered by millions, would be transferred to neutral flags; and trade which once left a country left sometimes never to return. England, then, would be in the position of having lost the power she once possessed of crippling the trade of the enemy, while still liable to seeing her own trade destroyed, or obliged to engage in the hopeless task of defending it. These evils struck the mind of the hon. Member so forcibly that he cried—"Go back to the old state of things." There were others, however, who cried—"Go forward and adopt the principle which had been steadily supported by the United States of exempting private property at sea generally from capture." That principle had been urged by Benjamin Franklin, in 1783, on Mr. Oswald and Mr. Hartley, during the negotiations which led to the Treaty of Versailles; it was embodied by him in 1785 in a Treaty with Prussia; and latterly the United States had declined, through Mr. Marcy, to accede to the Declaration of Paris, simply and solely because it was not included therein. This, however, had not prevented the United States negotiating, as he had already shown, many particular Treaties containing the principle of free ships free goods. Mr. Cobden had strongly advocated the exemption of private property at sea from capture. It was said that the proposition was absurd, and many attempts had been made to ridicule it. Imagine, it had been said, an English ship-of-war in the mid-Atlantic in want of coals and meeting a collier, and yet precluded from capturing the collier and the coals. Those who urged that objection quite forgot that the English ship-of-war would in that case simply exercise the right of pre-emption, a right perfectly well-known to the Law of Nations. Imagine, it had been urged, the absurdity of a merchant vessel sailing into Portsmouth with a cargo, and a hostile flag flying over it. But such a vessel would not sail into Portsmouth, unless it had something on board which Portsmouth wanted. Then, it had been urged, What, would you allow a fleet of merchant vessels to sail through the English fleet when lying off the port of a belligerent? But nobody had ever proposed that the exemption of capture should apply to blockade runners. Then, again, there were those who said that if you exempted private property at sea from capture the powerful mercantile interest would have no interest in preventing war; their interests and those of the Government would be distinct.

Surely, however, the disturbance to which trade would still remain liable would be abundantly sufficient to give the mercantile interest the keenest interest in the preservation of peace. He would appeal to any hon. Member who was engaged in trade, and he had little doubt of the answer. Trade was a delicate plant, and it required very little to make it suffer. It was also to be recollected that the exemption of private property at sea from capture did not entail the abandonment of the right of search for contraband of war on board the vessels of belligerents, neither did the adoption of the principle of free ships free goods entail the abandonment of the right of searching neutral vessels. The two questions were distinct, as pointed out by Sir William Scott in his celebrated judgment in the case of the *Maria.* He did not, however, wish to be understood as in the least urging on the Government to adopt exemption of private property at sea from capture. It was a most difficult question. There was a great deal to be said about it. Lord Palmerston himself had been puzzled by it, and that alone would cause him to speak with diffidence on the question, and he alluded to it only for the sake of showing the hon. Member that there were more courses than one in this matter. He, in any case, did not believe they would go back on the Declaration of Paris. It had been urged that England when a neutral would not be at any disadvantage, because the other nations, having *ex hypothesi,* followed her example, the carrying trade of all would be exposed to an equal risk, while in time of war she would be able to cripple the enemy by crippling his commerce. But that was not so, for England, having the largest carrying trade in the world, would suffer far more than any other nation. Her carrying trade would leave her, because a nation which had the choice of putting its goods on board a defenceless neutral vessel liable to search and seizure whenever a war broke out, and a vessel of its own which at a pinch would be able to defend itself, would naturally choose the latter alternative. Each nation would, consequently, become its own carrier again, and England would have gone out of her way to give up her own commerce to other countries in time of peace in order to have the pleasure of capturing it again in time of war. He hoped the House would reject the Resolution of the hon. Member for West Cumberland, if not unanimously, at least by a very large majority, and affirm that the "meteor flag of England," of which our great national poet had sung in immortal verse, should remain, as every great statesman of the country desired it should remain, a warning to the privateer, the slaver, and the pirate, but not what the members of the Maritime League wished it to be—the dread of the defenceless trader and the terror of the unarmed merchant.

Mr. BOURKE said, he was quite sure that hon. Members, while acknowledging the importance of the subject, would acknowledge, too, that it was one of great difficulty and complication. He was quite at a loss to know, after listening to the speech of the noble Lord who had just sat down (Lord Edmond Fitzmaurice), whether he meant to adopt the Amendment of the hon. Member for Manchester (Mr. Jacob Bright) or not; but it was quite clear the noble Lord was in favour of maintaining the Declaration of Paris. With regard to the Amendment of the hon. Member for Manchester, he wished to say a few words *in limine,* in order to point out that there was a radical difference in principle between it and the Declaration of Paris. The Amendment amounted to this—that the merchant vessels of one belligerent should be free from capture by the vessels of the other belligerent, thereby laying down a rule which was to be acted upon between belligerents, whereas the Declaration of Paris laid down the rules which should guide the conduct of belligerents towards neutrals. Therefore it was impossible to look on the Amendment as it was said "going a step further" than the Declaration of Paris, because the rule went in another and a different direction. It had no relation whatever to the principles laid down in the Declaration of Paris, for the Amendment related to belligerents *inter se.* Now, it was quite competent and reasonable for persons or nations to lay down rules binding as between belligerents and neutrals, but it was perfectly idle and futile to attempt to lay down rules which should be binding as between belligerent and belligerent. No doubt, it had been said by some writers on International Law that although when war broke out all Treaties between the belligerents ceased to have any force, but that there was an exception to that rule—namely, Treaties and engagements made in contemplation of war. Well, but he held—and he thought everyone who had studied the question would hold—that that was a scholastic and academic argument, which was practically worth nothing, because he did not know that anyone could put his hand upon a Treaty which, after war broke out between the parties, could be expected to be observed one hour longer than the interests of the belligerents demanded. Therefore, he said that those rules which were made in the cause of humanity to guide the conduct of belligerents towards each other were not worth the paper on which they were written. Independently of that, this country could not afford to give up the right it possessed of capturing belligerent merchant ships at sea. That was a right which it must be the great object of all maritime nations to maintain. It was one which concerned maritime nations with respect to their enemies, but it had nothing to do with the question as between belligerent and neutral. The object of a belligerent nation in warfare on the sea was to hold dominion over the sea; but it should be remembered that a belligerent did not want to hold dominion over the sea as against neutrals, but that he did as against his enemy, and that was the great difference between the Amendment and the principle involved in the Declaration of Paris. The Amendment of the hon. Member for Manchester would give up the right to hold dominion over the sea or against the enemy, but the Declaration of Paris merely said—"I wish to waive certain rights which I no doubt possess, merely for the purpose of avoiding giving annoyance to my friends;" but that was far from saying—"I waive also certain rights which I undoubtedly possess of injuring my enemy, who is doing all he can to destroy me." Another principle was involved in the Amendment which had been acted on from time immemorial in that country, and he believed in every other country—namely, that of trading with an enemy. Trading with an enemy was illegal and could not be for the public good. And would this country endure such an absurd result as the spectacle of a belligerent bombarding the coast of England while the merchant ships of the enemy were going in and out of our ports in perfect safety? It only required such a statement to be put clearly before hon. Members to show them how impracticable it was. Then, again, would anything be more likely to sap the patriotism of a country than for the mass of the people to be called upon to endure the heavy sacrifices which war entailed, while a few of our shipowners were driving a roaring trade? If this Amendment were carried and the nation became involved in war, he did not believe that any Treaty which carried it into effect would last one single hour from the breaking out of hostilities. The truth was, that the right of capturing an enemy's vessel at sea was a most valuable right, and one which he trusted would always be maintained. It was necessary as against an enemy to enable us to maintain our place among the nations, and was one of the great means of retaining our preponderance as a naval Power. He now came to the Declaration of Paris, and it was almost unnecessary for him to say that, often as the subject had been discussed in that House, it had never been introduced with greater ability than by his hon. Friend (Mr. Percy Wyndham). His speech put the case very clearly before the House, but notwithstanding its ability he (Mr. Bourke) confessed that there was not much difficulty in answering it. Now, his hon. Friend had devoted a great portion of it to an historical review of the question and to the quotation of a number of ancient writers and other authorities to show the law of the case. Upon that subject there was no doubt whatever. He had never heard of any great writer who supposed that there was any doubt on this subject—as to the lawfulness of capturing an enemy's goods in neutral vessels. The question was not one of law, but of policy. The point at issue was whether these great writers who dealt in theory rather than in practice were to prevail over the experience which this country had gained on the subject during the last 20 years. Perhaps the House would allow him to recall to recollection the circumstances under which the Declaration of Paris came to be made. At the commencement of the Crimean War France and England found themselves as allies in such a position that if each country had maintained its own rule with regard to maritime warfare it would have been impossible to carry on their alliance, or that any neutral commerce whatever should have existed. France held one rule—that neutral goods were safe in an enemy's vessel—while we held the contrary doctrine. It therefore became necessary in order that the Prize Courts of the two countries should act, that they should proceed on the same principle. If a German neutral vessel had come in contact with the English and French cruisers, the English captain would have acted on the doctrine that he had the right to search a neutral vessel and to take out any belligerent goods, while the French captain would have proceeded on the French principle that the flag covered the cargo and that he had no right to search that neutral vessel. Evidently, then, we should have come into collision with the principles of France in every case that occurred. It was therefore necessary for England and France to come to some conclusion between themselves, and this agreement was afterwards embodied in two Articles of the Declaration of Paris. Each country upon that occasion gave up something: we gave up our refusal to entertain the principle that the neutral flag covered enemy's goods—while the French assented to the principle that neutrals' goods were free from capture. The Declaration of Paris was made in 1856, and it was thought very desirable that the principle acted upon with so much advantage by England and France during the Crimean War should be continued. Lord Clarendon also thought—and in his (Mr. Bourke's) opinion quite rightly—that if he could add the abolition of privateering, he should be doing a great service to mankind, and to the interests of England in particular. It was obvious that no country was so much interested in the abolition of privateering as England. His hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane) had thrown some discredit upon the Declaration of Paris by saying that it had never been ratified by Parliament. Now, he did not believe that any international instrument had ever been so often approved by Parliament as the Declaration of Paris. Eight times it had been before either that or the other House of Parliament, and on every occasion it had received the sanction of Parliament either by a very large majority or unanimously. He did not think, therefore, that anyone could make much out of the fact that it was not submitted to Parliament before being agreed to. But while the Declaration of Paris abolished privateering, he must remind the House that it did not do what his hon. Friend imagined. It did not prevent this country from commissioning as many ships to make war upon the enemy as might be thought desirable. It was competent for this country in the event of war to commission and send out any number of merchant ships against the enemy and to harass his commerce. But no one would doubt that the abolition of privateering gave a valuable and an enormous advantage to this country. The objection to privateering was, that it was war carried on by people for their own private profit—not for the good of the State, but for the purpose of enriching the individual. Privateering, in fact, differed in nothing from piracy except that it was licensed by the Government of the country from which the privateer proceeded. It was private plunder and nothing else. He would therefore assert that, whether we were at war or peace, the abolition of privateering was necessarily of the greatest benefit to this country, because there was not a petty South American State that declared war against a neighbour that might not harass the whole of our commerce by its Letters of Marque. These petty States might thus issue Letters of Marque to privateers, which might stop neutral ships and search them for belligerent goods. In case of war we should still more be gainers by the abolition of privateering, because our Navy, instead of looking after privateers, would be set at liberty to destroy an enemy's ships of war and protect our own shores. He need not expatiate on the enormous gain which we should relatively make on account of the vast extent of our commerce in every sea and every bay. We had always more property exposed to injury upon the high seas than any other country, whether we were at peace or war, and the amount of injury which privateers would do to our Mercantile Marine was greater than they could inflict upon any other country in the world. The fact that America still retained the right of privateering could only damage us if we were at war with America; but America was no party to the Declaration of

Paris, and therefore she could claim nothing under it. In his position he did not wish to contemplate even the possibility of America being at war with us; but if such a thing unfortunately occurred, we might rely upon the patriotism of our people and the strength of our Navy; and if it should be necessary to issue Letters of Marque, we might do so without infringing any of the principles of the Declaration of Paris, as America was no party to the Declaration. At any rate, the Declaration of Paris left us exactly in the position we were in before, so far as this part of the question was concerned. With regard to the great question in dispute, the safety of enemy's goods in neutral vessels, it was well to recollect what the admission of that doctrine did not take away. More than one speaker had imagined that, because enemy's goods were not to be captured in neutral vessels, enemy's ships were free from capture; but that right remained, notwithstanding the Declaration of Paris, and it was a right the importance of which had not been diminished by modern changes. The Declaration left the right to search vessels for contraband of war whenever it was suspected to be on board; and now that contraband of war included not only guns and powder, but almost everything that could be converted into *matériel* of war, the right of search was a very extensive one and quite ample for belligerent purposes. The Declaration no doubt gave up the right of searching neutral vessels for belligerent goods. It was admitted that as neutrals we should gain enormously, though as belligerents we should doubtless lose some of our carrying trade; but how could a great maritime nation engage in war without losing something? Still, he did not believe that any country could point to a time of war in which it lost less than we did during the Crimean War, when the Declaration of Paris was in force. In 1854 the total registered tonnage of vessels belonging to the United Kingdom was 4,148,000, in 1855 it was 4,349,000 tons, and in 1856 it was 4,366,000 tons, so that the tonnage of our steam and sailing vessels had absolutely increased in the last year as compared with the first, and our carrying trade could not be said to have been injured by the Declaration of Paris during that very trying time. It was said we were debarred from the power of injuring our enemy, because we could not take his goods out of neutral vessels; but the importance of that power he believed to be enormously exaggerated, because nothing was more easy than to change the ownership of goods when they were put into ships, so as to prevent a hostile Power interfering with them. When captures had been made of what were supposed to be belligerent goods in neutral ships, they had almost always been followed by disputes as to ownership; and the result had been that vast quantities of *quasi*-belligerent goods had been returned, because the ownership was proved not to be vested in a belligerent. And that would occur in the future more than in past times, because the means of communication were so much improved, and nothing was easier than to ship goods from one country to another at a port where they would have no taint of belligerent goods. But, after all, the great reason for maintaining the Declaration of Paris was the irritation the contrary principle always had caused and ever must cause to our friends. The claim to stop neutrals on the high seas caused "the Armed Neutrality" against us in olden times; and, during the Crimean War, we found it was perfectly impossible to claim this right without making enemies of those who were disposed to be our friends. It must always be so, for a reason which was evident when we asked the test question—would we endure it ourselves? It was all very well to refer to international lawyers and statesmen who had gone before us; but we must test the question by experience, and by considering what we should like to be done to us, recollecting that there were now maritime Powers in the world which did not exist previously. Should we, as neutrals, endure to have our ships stopped on the high seas and searched for enemy's goods? He thought they were pretty generally agreed as to the answer that would be given to the question. If we were at war we could maintain our position on the high seas by exercising our belligerent rights against the vessels of our enemy with perfect ease and by protecting our own ships, and if we were at peace and neutrals we gained great advantages from the Declaration of Paris. At this time, however, the question was not so much whether, after taking everything into consideration, it was wise to have assented to the Declaration, but whether it was wise to maintain it. Having invited the whole world to accept it, having carried on a great war under it, and having gained great advantages from it both as belligerents and neutrals, should we be acting as a great nation ought to act if we were now to withdraw from it? Suppose we were to find ourselves in the position we occupied in 1854, and we had adopted the Resolution before the House; could anyone doubt we should go back to the Declaration and adopt the rules we had laid down in 1854? If, on the other hand, two great Continental nations were to go to war, and we were neutrals, should we not, although we had torn up the Declaration of Paris, call out for our neutral rights, and, if the Resolution before the House were carried, would it not be thrown in our face? If one of those nations were to fit out privateers or to capture our neutral vessels, should we not rue that we had abandoned the Declaration? These were not days when we ought lightly to abandon our international obligations, nor when it could be our policy to irritate every Power in Europe; and certainly if we were to adopt this Resolution we should be assuming an attitude of menace to the whole world, and we should be acting in the face of a Declaration which, in common with others, we made in the interests of peace, to mitigate the rigour of war, and to favour peaceful commerce. He asked his hon. Friend, earnestly, whether he had considered that serious question. If they were to pass his hon. Friend's Resolution he (Mr. Bourke) thought that tomorrow morning his hon. Friend would find that he had accepted a responsibility which he had not contemplated. He hoped, therefore, he would see that that was not the time for pushing a Resolution such as the one he had proposed, and he trusted that he would consider whether he had better not leave the question where it was, well content with the able discussion which had taken place upon it, and equally content with the great credit he had gained for himself in bringing forward the question as he had done with great advantage to the country.

SIR WILLIAM HARCOURT said, he could not help thinking it had been a disadvantage that his hon. Friend the Member for Manchester (Mr. Jacob Bright) had introduced into the debate a subject which was not germane to it; and he entirely agreed with what the hon. Gentleman the Under Secretary of State (Mr. Bourke) had said on this branch of the subject. The question whether or not you were to cut down the rights of one belligerent, to defend himself by both offensive and defensive means, against another had nothing to do with the principle on which you ought to act as between belligerents and neutrals. The Declaration of Paris was not made for the purpose of weakening the rights of belligerents, but to enlarge the privileges of neutrals. The proposal of his hon. Friend the Member for Manchester would cut down the rights of one belligerent against another; and he never could be a party to such a proposal as that. His hon. Friend the Member for Manchester said he would except contraband from the regulation he approved of, but what was the most noxious form of contraband? It was the belligerent ship itself—a merchantman yesterday, it might become an armed crusier to-morrow, and was the maritime belligerent to forego his right of capturing it? That in itself was a conclusive argument against his hon. Friend's proposal. He would now go to the question of the Declaration of Paris. He had attended very carefully to this interesting debate and to him it seemed there were three questions suggested by the discussion. First of all, were the principles introduced in the Declaration of Paris good in themselves, advantageous to this country, and—he hoped they did not leave this out of the question—advantageous to the world? Secondly, when they agreed to the Declaration were they in a position in which they could do anything else than what they did? And thirdly, could they, having done what they did, retire from that situation? It seemed to be assumed by hon. Members who were the distinguished partners in the Maritime League, that the principle of the Declaration of Paris was necessarily disadvantageous to England—that we had made great sacrifices from which we should and ought to escape as soon as possible. He could not concur in that view of the subject. The principles of the Declaration of Paris were more advantageous to England as a great maritime Power—both as a great naval Power and a great commercial Power—than they were to any other country in the world. Now let them take the Declaration as a whole. He passed over the question of privateering, for upon that he concurred with the hon. Gentleman the Under Secretary of State. But it seemed to be assumed by hon. Gentlemen opposite that, but for the Declaration of Paris, if they had got a superior fleet they might have carried on their commerce by sea just as they did before, and that they could have driven their enemies from the sea; that they could have kept not only their own trade, but managed the entire carrying trade of the world. That showed a profound ignorance of the facts of history. He had always been very much struck by what had been said by Smollett, who, besides being an historian, had been a good deal at sea, and understood maritime subjects very fully. His book was very full of this subject. He (Sir William Harcourt) supposed England was never more mistress of the sea—he might almost say mistress of the world—than during the great administration of Lord Chatham, who made the proud boast that no cannon could be fired in Europe without his leave. At that period they had humbled France, and had almost the whole of Europe at their feet. At that time, when there was not a hostile Navy to be seen upon the sea, Smollett describes what happened. First, he speaks of the prodigious number of the English Navy; they had 120 ships of the line, besides frigates, fireships, tenders, &c.; and then he said that, notwithstanding these enormous and powerful armaments, the enemy was so alert with their small privateers and armed vessels that they managed in one year, from March 1 to June 10, to secure as prizes more than 200 vessels belonging to Great Britain and Ireland. Then he went on—

> "The whole number of British ships taken by them from June 1, in 1756, to June 1 in the present year (that was over a period of four years), amounted to 2,539 vessels."

Now, that was the state of English Commerce when England was absolutely mistress of the sea. That was the result of privateering. What had they done in the meanwhile, having command of the sea? Smollett said that in the same space of time British cruisers made capture of 944 vessels, including 242 privateers. Of course, it was to be remembered that the commerce of the enemy was very small then. But the important consideration was that, having control of the sea, they were still losing their vessels to an enormous extent, owing to privateering. The Declaration of Paris relieved them from that, so that in forbidding privateering it was the most valuable advantage that could be offered, to a country that was, he might say, and always would be, mistress of the sea. But it was said the United States were not bound by this Declaration. He thought it would be important, if hon. Members would look back, to see why it was that the United States of America declined to be bound by this Declaration, except under certain conditions which they desired to see annexed to it; and if they did, they would probably find therein a strong argument in its favour as it affected this country. Where a country did not maintain a great and powerful national Navy, the great resource of a maritime State was to be able to resort to privateering. In the early history of America, Franklin was the great enemy of privateering, and he introduced that very article into a Treaty in 1795 with Prussia—what Frederick the Great called his Quaker doctrine. But the policy of the United States changed on the subject. And why did it change? Because, for a policy of their own, they did not intend to form a great and powerful national Navy, and in that case a maritime State would naturally have recourse to privateering. That was why the right of privateering was reserved to itself by the United States, a weak naval Power, against a Power commanding a great national Navy. But that was the very reason that should recommend the Declaration to this country. But was not America bound, in fact, by that Declaration? What was the experience of the American Civil War? When it broke out the United States felt at once that the opinion of the world was so unanimously and overpoweringly in favour of the Declaration of Paris that the first thing they did was to declare privateering illegal. He could not conceive evidence more conclusive than that America was not bound by the Declaration of Paris, and yet when she was engaged in a struggle such as no country ever engaged in before—a struggle for its own existence against its own citizens—she felt that she could not disregard the principle laid down in that Declaration. The Declaration of Paris, then, so far as related to privateering, was in the interest of a great national Navy like that of England. He only wished that it went a little further—that it abolished privateering not only in name, but in fact also, because there was no doubt that something like privateering might, as one hon. Gentleman pointed out, still be introduced. The *Alabama* was not a privateer, but a commissioned vessel. Of course, vessels might be commissioned and become nominally national vessels. He admitted that was a disadvantage, but it was not an argument against the general principle. The next point in the Declaration of Paris was the question of blockade. That had infroduced no new principle. Upon that subject there were two distinct schools—the Continental, and what he should call the Anglo-Saxon, as the English and American writers were not divided on the subject. One of the principles favoured very much by Continental writers would destroy the whole principle of blockade. The great advantage of the Declaration of Paris was, that it gave an authoritative utterance to the doctrine that they had always asserted—the doctrine of effective blockade. Then he came to the great disputed point of the principle of "free ships free goods." Of course, that principle gave to them more than they ever possessed before—the carrying trade of the world. They were a people who possessed the greatest carrying fleet in the world, and if belligerents fell out, then, as Lord Stowell said, the bread fell into our lap, in that we obtained their carrying trade. If that alone was to be the deciding point in that debate, let them consider that since 1815 they had been perpetually neutral with the exception of three years. Consequently, out of 60 years they had been neutral for 57. Well, then, if they had a principle which had been so enormously advantageous to them for so great a proportion of time, of course, that would be a preponderating advantage, and ought they not to adhere to it, even though in time of war they suffered some disadvantages from it? The extent to which that operated could only be judged when they considered what their carrying trade was. When they remembered that the whole carrying trade of England was, in round numbers, equal to that of all the rest of Europe put together—they had 6,000,000 tons of shipping—was it no advantage that in all wars that might occur among other Powers, that trade should be unmolested? Well, they had many wars since the Declaration of Paris. There was the war between Italy and Austria. There was the American War in 1861, the German and Austrian War in 1866, and the great German and French War in 1870. That Declaration existed through all those wars, and what had been the consequence? He would not say that solely from that cause, but certainly partly from that cause, their carrying trade had gained a point both actually and in relative proportion as to magnitude, which it never before occupied in the history of England. That was their situation in time of peace, and as the Government said their policy was peace, they should favour a state of things which was admitted to be enormously favourable to England. Hon. Members said "that was all true, but that in time of war the Declaration of Paris would place them in a position of great peril, as it would deprive them of our most powerful arm." Well, let them examine that question which was the gist of the whole discussion. He would at once admit it was true that to a great extent they would lose the carrying trade; but that was the extent of the loss, and to a great extent they always must have lost the carrying trade, because no amount of naval supremacy could ever defend our trade altogether. It never did. It did not defend it in 1760, nor even after Trafalgar. Their trade was always exposed to certain risk. It was not the actual captures which was the measure of loss to the trade, but the risk which was felt by the merchant, and which raised the rate of insurance generally. Well, let them see what was the effect on the trade of England. He felt he almost owed an apology, after the speech of the hon. Member for West Cumberland (Mr. Wyndham), for venturing to allude to such a vulgar and base consideration. That hon. Gentleman talked of the Declaration of Paris having become possible because the minds of statesmen, and even of Parliament, had become vitiated by connection with trade, and he spoke contemptuously of the Manchester School. When he heard that from the Conservative Benches he (Sir William Harcourt) confessed he thought it not unnatural that the great county of Lancashire had begun to consider it well not to send Members to sit on that side of the House. When the hon. Member for Oldham took his seat it would not be by the side of the hon. Member for West Cumberland. When they were told that the statesmen and Parliament of 1854 were corrupted and vitiated by the spirit of trade, he thought the traders of this country would begin to look out for themselves. But that was not always the language held by eminent Members of the Tory Party. He would refer the hon. Member to the opinions of a man for whom he might possibly have some respect—he meant Mr. Pitt. If the hon. Member would read his great speech in 1792 on the state of England he would find very different language from that which they had heard from him to-night addressed to the nation and to the Tory Party. Whatever it might be to other States, to England her trade was the breath of her nostrils, the life-blood that coursed through all her veins, from which she derived in a great degree, and by which she maintained her greatness. And if the Declaration of Paris was inspired by a desire to protect the trade of England, and if the effect of it had been to maintain the trade and commerce of England, then he ventured to predict that in spite of the scorn and sneers with which the hon. Member for West Cumberland had treated the trading classes of England— ["No, no."]

MR. PERCY WYNDHAM: I said nothing against the trading classes. I merely said the change of policy had been brought about by the teaching of the Manchester School.

SIR WILLIAM HARCOURT said, he was in the recollection of the House. He understood the hon. Member to say the rest of the community had been vitiated by the corruption of trade.

MR. PERCY WYNDHAM: I said the teachings of the Manchester School were from the first vitiated by the corruption which the mere unqualified genius of trade must ever generate.

SIR WILLIAM HARCOURT said, he was sorry to have misunderstood the hon. Member. Well, it now appeared he did admit that trade was a respectable thing. So long as he (Sir William Harcourt) was permitted to assume that trade was of some importance and deserving of protection, then it would be an argument in favour of the Declaration of Paris, if it should appear that that Declaration had had that effect. Let them consider the effect of the Declaration of Paris on the trade of England. War was proverbially a game of fortune which involved high stakes, and when England went to war with other nations, who staked most on the result in point of trade? Because if they were going into a gambling speculation of that kind, and were going to stake all Lombard Street against a China orange, it was obvious that it was not the party that staked all Lombard Street that was going to get the best of it. The great Continental States did not risk so much. Many of them were self-supporting; they had their corn, their wine, and their oil, and they lived within their own borders, as the Scotch said, self-contained. The hon. Member opposite said the only way they could destroy those countries was by destroying their commerce. Well, but they had destroyed their commerce over and over again; but they had not destroyed those countries. They destroyed the commerce of the great Napoleon, and drove it from the sea for ever; but did they destroy Napoleon? Why, it was immediately after they won the battle of Trafalgar that he went and destroyed the two greatest Monarchies in Europe. Within six months he fought the battles of Jena and Austerlitz, and destroyed Austria and Prussia. The fact was that to some of these Continental Monarchies trade was of comparatively small importance, although, as they became more rich and enterprizing, and their commerce became more valuable, they might be more disposed to take care of it, and that would be unquestionably the case in France. He would like hon. Members just to consider what was the difference between the great Continental States and England in reference to the risks to their trade. The trade of England was at risk in time of war on every sea and in every part of the world. She went to China, to the Antipodes, to her own Colonies, to the West Indies, and to the Cape. Of what other country could that be said? Therefore, the risk to which the trade of England was exposed was much more universal than that of any other State. As the hon. Member for Manchester (Mr. Jacob Bright) said, everything that came to England must come by sea. Other States might get their goods by land, but every bale that England got must come by sea. What was the extent of our trade? That certainly concerned the Chancellor of the Exchequer, the most powerful ally of the country in any war. Now, the amount of the trade of England was about £600,000,000, and that was what they would put in jeopardy. What was the trade of Russia? It was computed at £140,000,000, while the trade of France was £250,000,000. So that in character, extent, and amount they found that the trade of England would be four, five, and six times more exposed than would be that of the enemy to whom she was opposed. To England her import and export trade was equally important. Hon. Gentlemen talked about old times and the Great War, but they forgot how much the condition of the trade of England had changed, and what a different kind of trade as compared with the population in 1815 now existed. In that time the policy of Protection and the old Corn Laws had starved the people down to a point at which the country could supply them from her own resources. That was not now the case, for he believed the food of the people of this country at present was dependent to the extent of one-third, if not one-half, upon foreign supply, and if they placed that food in risk, and the price was raised so many shillings in the quarter or cwt., by abolishing the Declaration of Paris, did they think the new constituencies, to whom the hon. Member for West Cumberland appealed, would approve of their policy, because of all the articles of trade in which the condition of things had most changed since 1815 it was in that of the food of the people. But it was not the first necessaries of life alone which would be affected. There was the wood out of which their houses were built; there were tea, wine, spirits, eggs, and tobacco, and everything which constituted the life and health of their people, all of which came by sea. If they placed all that trade in risk, what did they think would be the opinion of the nation of their wisdom and patriotism? He also asked the Chancellor of the Exchequer, just one month before the introduction of the Budget, what would be the effect on the Revenue by cutting off the receipts from tea, tobacco, and other things? Talk about strengthening the resources of the country, they depended upon the trade, and the revenues and industry of the people were sustained by the trade. That was still more true of articles from which the wages of the people were derived. What would be the effect on the industry and wages of the people if the cost of the cotton, linen, flax, metal, and silk were to be raised 10 per cent in that competition which we were now carrying on with foreign countries? In the closeness of competition now going on we should be entirely defeated, and what would become of our resources for carrying on the war? The resources of the country would be weakened, and they would have a discontented people, who would decline to support their policy. If that was the case with the imports, so would it apply equally to the exports. Their iron, machinery, earthenware, cotton and woollen goods—all these things which they had to send to foreign countries would be enhanced in price and they would be beaten by their competitors. But it had been said that the trade could be protected by convoy. Had they been able hitherto to do so? And if they employed convoys for such a purpose as this, what became of the Fleet for other purposes? That which would most weaken a maritime Power was that question of convoys. To convoy £600,000,000 of commerce they must treble their Fleet. What did the Declaration of Paris do by making the trade safe under a neutral flag but allow the whole of the Fleet to be employed for legitimate purposes in attacking the enemy's ships? It had been said that the merchant ships would be rendered useless; unless they might be for the purpose of carrying trade. In regard to that point he was very much struck by reading a paper of Mr. Barnaby, the Chief Constructor of the Navy, in which he refuted the doctrines of the Maritime League, and urged that those ships should be supplied with war material, in order that they might become auxiliaries to our men-of-war. In that way, besides protecting our trade, they would be strengthening the resources and the revenue of the country, and, above all, they would be enabled to concentrate the Navy. The supposition that the only way to bring pressure to bear on the enemy was by the capture of their goods was dispelled by the Americans in the Civil War, who brought pressure on the Southern States, not by capturing their goods, but by the stress of their blockade. In the same way, the Declaration of Paris had strengthened the principles of blockade and had enormously fortified our power in carrying on a blockade. Then the vessels hitherto employed in carrying trade would become most efficient blockaders. So that so far from the Declaration of Paris having weakened our resources, it had strengthened them in the power of blockade. The advantage while we were neutral would be very largely on our side, and as soon as we went to war the balance would be on our side. Whether that had been so or not, could we have done anything besides sign the Declaration? In 1854 England was in alliance with France, and why were we to suppose that that would never happen again? There was no State in Europe which had not adopted the principle, and were we going to tell Europe that we would not be allies with any Power in maritime war, because that was what it meant? What had occurred in 1854 was quite certain to occur again, and England must be prepared for that contingency. The hon. Member had said a great deal on the subject of Treaties, but he (Sir William Harcourt) was not about to enter into that question at that late hour. The question of Treaties had nothing to do with this question. Nobody had ever disputed that the Law of Nations was that which prompted the old rule; but the question of Treaties was material to it only in this way—that when countries went on making Treaty after Treaty in a direction opposite to the existing rule, it showed that there were causes arising and being formed among the nations opposed to it for departing from that rule. That was exactly what was the situation of Treaties in this matter. In every Treaty of Peace during the whole of the last century the doctrine that free ships made free goods had been adopted by England, and it was finally adopted by Mr. Pitt in 1786. The hon. Gentleman, however, said that it did not mean the same thing now as that meant by Mr. Pitt, but was it to be supposed that Mr. Pitt did not know what he was about? If the Government of that day had not taken that course they would have found all Europe armed against them. But the Government, finding circumstances too strong for them, adopted the necessary policy. If they had not, in 1854, adopted this policy, the neutrals would have adopted the principle of "free ships, free trade," and they would not have got the advantage of the abolition of privateering. It had been said that Parliament had not ratified the Declaration of Paris. The proper time to have challenged it was in 1856. Why was it not challenged? It was not challenged in the House of Commons, though in the House of Lords the late Earl of Derby, than whom no one had greater authority in that House, did so; yet he was beaten by a majority of 54. If that was not ratifying the Declaration of Paris what could be? In 1856, however the House of Commons might have been, the suffrage of the House of Lords was the same as now, and yet they distinctly approved it. Year after year it went on. In 1862 it was discussed in that House. They went on, and invited all the Powers to accede to the Declaration, and they assented all round. He forgot how many there were, but he believed some 40 or 50. That being so, would the hon. Member for West Cumberland have them go round to all these, and say we had determined to tear it up? Their reputation for honour and stability of character was at stake, and how the hon. Member could think such a course could be adopted was difficult to conceive. In 1867, when Lord Derby (as Lord Stanley) was Foreign Secretary, as he was then, he said, on a similar motion—

> "However, I, for one, am not interested in denying that the question, as it arose, and as it was decided, in 1856, was one open to much argument and to very grave doubt. But we stand in a different position now. The question is not what we ought to have done 11 years ago. I do not think it is possible to deny that we have bound ourselves to a certain extent by this compact, to which nearly all the maritime Powers have acceded, except Spain and the United States. The engagement was observed and acted upon in the Italian war of 1859, and in the subsequent war which took place between Prussia and Denmark. The war last year did not raise the question, partly because both the combatants agreed to respect private property at sea, and partly because, in fact, the war was confined to operations upon land. In all these cases we have been neutrals, and, so far, gainers, by the arrangement that exists, and I think it follows from the argument of the hon. Member for Westminster that it would be hardly suitable or fair for us, who have thus accepted the position of neutrals, and as such acquired the profit of that position, to decline to hold our-

selves bound to that engagement if in our turn we should become engaged in war."—[3 *Hansard,* clxxxix. 888-9.]

He then went on to say—

"Having so far reaped the advantages, we are bound to endure the corresponding disadvantages. Again, this circumstance must not be overlooked, that if one part of that Declaration is done away with the whole of it disappears. I understand that a good deal of stress was laid on that point in the negotiations—namely, that the several points of that Declaration should be considered as one and indivisible. Now, the minor States have adhered to that Declaration, abandoning the right of privateering, which for those who do not possess navies of their own was, in fact, the only weapon of naval warfare which they could use."—[*Ibid.* 889.]

Further—

"If, therefore, the House were to consider that in point of policy the Declaration of 1856 could not be defended, we should then be bound to reflect whether by repudiating our share in that Declaration we should not be reviving certainly, though indirectly, that very practice of privateering which everybody condemns, and by which we probably should be greater losers than anybody else. But I am not arguing that point now as a matter of advantage; I think we have to look at it as a matter of good faith and consistency."—[*Ibid.* 889.]

He invited the attention of hon. Gentlemen opposite more particularly to this statement of the noble Lord—

"We have given a pledge, not merely to the Powers who signed with us, but to the whole civilized world. We have urgently and continuously invited other States to join in that Declaration; we have done so with very considerable success, and it would be hardly intelligible or in accordance with our position to turn suddenly round and change our policy. I think we are bound morally to maintain this compact while those with whom we entered into it maintain it."—[*Ibid.* 889-90.]

Were they going to ask the Foreign Secretary to go round to all Europe and say that they had made up their minds for reasons of their own convenience to break this Declaration which he had said they were bound to keep? Surely, if so, they would have to find another man. The noble Lord continued—

"At any rate, we are so far bound to it that it is impossible to recede from it without the most ample and solemn notice, and without notice of such a duration that no inconvenience could possibly arise from its being acted upon."—[*Ibid.* 890.]

Again, he asked the attention of hon. Gentlemen opposite to the concluding statement of the noble Lord—

"I admit that it is not an easy matter to decide how far any Government is authorized or enabled to contract an engagement which is perpetually binding. That is a question very often raised on various subjects, and it is one, perhaps, which does not admit of an absolute and general reply. But we must remember that this Declaration has not been an act of the Executive alone. It is quite true that it has not been embodied in a formal Treaty; it is quite true that what is done in diplomatic affairs—rightly or wrongly, I will not say, but according to the Constitution of this country—is done on the responsibility of the Executive; but the matter has again and again been brought under the notice of both Houses of Parliament. It was brought before Parliament in some cases by persons for whose authority I have the highest respect, and who undoubtedly had mastered the subject and commanded the attention of those whom they addressed, but on each of those occasions Parliament refused to interfere; it refused to sanction any modification in the terms of the Declaration, and by the silence which it preserved it practically gave its adhesion to that measure. I think, therefore, we are bound constitutionally to assume that public opinion has accepted that arrangement, and that the Legislature is pledged as well as the Executive."—[*Ibid.* 890.]

That was the opinion of the Foreign Secretary of their administration. They might carry that Motion of that evening to him, but they were scarcely going to ask him to break that moral contract into which they had entered, and were morally bound to fulfil. If they would persist in doing so, he thought they were undertaking a task in which he, for one, could not promise them success.

Mr. BUTLER-JOHNSTONE moved the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Butler-Johnstone.*)

Mr. BIGGAR hoped the Motion for adjournment would be withdrawn, and that a division should be taken on the Resolution, if its supporters thought proper to press it.

The CHANCELLOR of the EXCHEQUER: I hope my hon. Friend the Member for Canterbury will not persevere in his Motion. I admit the question is of very great importance, and I think those of us who have had the advantage of hearing the whole of the discussion will feel that the subject has been treated by all who have spoken in a manner entirely worthy of it. Indeed, nothing could be better in its way than the speech of my hon. Friend the Member for West Cumberland (Mr. Percy Wyndham). If we are to hear all the speakers who may desire to express themselves on the subject, it is quite clear that even another night would hardly be sufficient to give them all an opportunity. The question is, whether we should advance the actual position of the question by continuing the debate. It is obvious that such a course would be inconvenient for business. Easter is not very far off, and our Army and Navy Estimates are still before the House. It would therefore be very inconvenient to occupy another night, unless it be that the discussion should result in a really practical conclusion. I think I may say that the Motion of the hon. Gentleman —upon which, of course, I express no opinion—does not in itself, even if it were adopted by the House, embody the necessity for any immediate practical action. It proposes to express an opinion on the part of the House; but it leaves the question of opportuneness to the Government of the day. It merely asks the House to record its opinion upon an abstract proposition, and the House must now come to the conclusion whether it is desirable to express such an opinion. For my own part, I do not see that we shall get much nearer to what our decision ought to be if we adjourn the debate and take it up again next week; but, of course, if any very strong opinion was expressed by a large number of hon. Members that it was of real importance to continue the discussion, it will, of course, be necessary to consider what shall be done. I would just desire to point out to the House the unfortunate circumstance that amongst the Members who have not yet spoken is the hon. Member for Canterbury, and he, by the course he has taken in moving the Adjournment of the Debate, has precluded himself from speaking on the question. ["No, no!"] Well, then, I must appeal to the right hon. Gentleman in the Chair whether the hon. Member, after making his Motion for the adjournment, is competent to speak on the Main Question.

MR. SPEAKER: If the House should negative the Motion for Adjournment, the hon. Member for Canterbury will then have exhausted his right of speaking on the Main Question.

THE CHANCELLOR OF THE EXCHEQUER: I am sure there is every disposition on the part of the House, notwithstanding that decision, to hear my hon. Friend on this question. Now, as it is desirable that the debate should be concluded to-night, I want to point out the position in which we shall stand if you decide in favour of the adjournment. It was intended that on Monday my right hon. Friend the Secretary of State for War should move the Army Estimates, and to allow the Committee on the Prisons Bill to stand over for some short time; but, if the debate be adjourned, it must be taken when Supply comes on, and my right hon. Friend would then be deprived of his opportunity of bringing forward the Estimates; and, in that case, the Prisons Bill would be deferred for an indefinite time. In that case what the Government must do would be to put the Prisons Bill first for Monday, and Supply must stand for later in the evening; and in that case there would be no opportunity of resuming the debate till that point was reached. I do not wish to check the debate if the House desires to proceed, and I believe there is a general disposition to hear my hon. Friend the Member for Canterbury if he will proceed now.

MR. BAILLIE COCHRANE strongly urged the adjournment of the debate, on the ground that there were still a great many hon. Members who desired to address the House.

MR. PERCY WYNDHAM said, if the House decided against the Adjournment, it was his intention to press his Motion to a division. In favour of the adjournment, he would just mention that not a single shipowner had yet spoken, and he knew that the Members for Hull, Liverpool, and Sunderland intended to do so, if they had an opportunity.

THE MARQUESS OF HARTINGTON: I hope that after the statement of the Chancellor of the Exchequer the hon. Member for Canterbury and his Friends will consider well before they ask the House to adjourn this debate. The effect of the adjournment would be to produce considerable inconvenience to Public Business; and, in the next place, to deprive several hon. Members of the right to bring forward Motions in which they are interested, and which they had a right to expect would come on. There is, for instance, a very important matter which stands for discussion on Friday next. I mean the Motion standing in the name of the hon.

Member for South Norfolk (Mr. Clare Read)—a Motion in which a good many hon. Members representing county constituencies on the other side are interested. Now, it appears that one effect of the adjournment might be to prevent the Secretary of State for War from bringing forward the Army Estimates, and besides that the hon. Member for South Norfolk will not be able to bring forward his Motion on County Financial Boards. I am sure that if the hon. Member for Canterbury or any Member connected with the Mercantile Marine desire to speak, the House is prepared to listen to them; but as the issue is not of an extremely practical character, I do not think that the House and Public Business should be inconvenienced by an adjournment.

MR. O'CLERY reminded the House that we had tied the hands of France during the Franco-German War by requiring her to adhere to the Declaration of Paris. He trusted that the hon. Member for West Cumberland (Mr. Percy Wyndham) would press his Motion to a division, for the effect of it, if carried, would be greatly to strengthen the hands of France—England's true ally—in the event of another German invasion.

Question put.

The House *divided*:—Ayes 51; Noes 182: Majority 131.—(Div. List, No. 25.)

Question again proposed, "That Mr. Speaker do now leave the Chair."

SIR H. DRUMMOND WOLFF said, that in order to give the hon. Member for Canterbury an opportunity of speaking on the question, he begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir H. Drummond Wolff.*)

THE MARQUESS OF HARTINGTON said, that as the hon. Member for Canterbury did not appear to wish to avail himself of the opportunity which the Motion of the hon. Member for Christchurch had afforded him of addressing the House, he hoped the hon. Member for Christchurch would withdraw his Motion for the adjournment of the House.

Motion, by leave, *withdrawn*.

The Marquess of Hartington

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 170; Noes 56: Majority 114.—(Div. List, No. 26.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

WAYS AND MEANS.

CONSOLIDATED FUND (£350,000) BILL.

Resolution [March 1] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time.

ASSISTANT COUNTY SURVEYORS (IRELAND) BILL.

On Motion of Mr. WILLIAM JOHNSTON, Bill to enable Grand Juries in Ireland to increase the remuneration of Assistant County Surveyors; and for other purposes relating thereto, *ordered* to be brought in by Mr. WILLIAM JOHNSTON, Mr. CHAINE, and Mr. KING-HARMAN.

Bill *presented*, and read the first time. [Bill 106.]

ECCLESIASTICAL OFFICES AND FEES BILL.

Select Committee *nominated*:—Mr. MONK, Mr. WALTER, Mr. WHITWELL, Mr. DODSON, Mr. PARNELL, Mr. BERESFORD HOPE, Mr. HEYGATE, Mr. MAJENDIE, Mr. RUSSELL GURNEY, Sir JOHN KENNAWAY, Colonel MAKINS, Mr. GREENE, and Mr. COWPER-TEMPLE:—Five to be the quorum.

And, on March 14, Mr. GREGORY *added*, Mr. RUSSELL GURNEY *disch.*

House adjourned at One o'clock,
till Monday next.

* * *

HOUSE OF LORDS,

Monday, 5th March, 1877.

MINUTES.]—PUBLIC BILL—*Second Reading*—Metropolitan Board of Works (Election of Members) * (2), *negatived*.

METROPOLITAN BOARD OF WORKS (ELECTION OF MEMBERS) BILL—(No. 2.)

(*The Earl of Camperdown.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF CAMPERDOWN, in moving that the Bill be now read the second time, said, that the direct object of the measure was to effect an alteration in the election of the Members of the Metropolitan Board of Works. He would first remind their Lordships that under the Act of 1855, known as the Metropolis Management Act, a general system of management was established for the whole Metropolis. Vestries for each parish were to be elected by the ratepayers direct, and a Board to transact the general business of the Metropolis was to be elected by the Vestries and parochial districts. Now, he might at once say that a main proposal in his Bill was to abolish that indirect election of the Metropolitan Board of Works and to assimilate the election of the members of that body to the election of the members of Vestries. The object of this was to make the Metropolitan Board of Works directly responsible to the ratepayers whose money it spent. This alteration in the mode of election was, to his mind, absolutely necessary. It was well worth while to call their Lordships' attention to the great and growing importance of the Metropolitan Board of Works. In the Act of 1855 a very different position was contemplated for the Metropolitan Board of Works from that which it now occupied; and so widely and rapidly had its functions been enlarged that at the end of 1875 it administered jurisdiction under no fewer than 83 Acts of Parliament. It had charge in the Metropolis of the main drainage, of the main sewers, of all metropolitan improvements—under which were included such works as the Thames Embankment, the Charing Cross approach, the opening up of new streets, and other matters of that kind; of open spaces and of the administration of the Fire Brigade. Further, it was supposed to represent the interests of the Metropolis in the supply of gas and water; it administered the Cattle Diseases Act and the enactments dealing with Artizans' and Labourers' Dwellings. It made loans to Vestries and District Boards, and last, though not least, to the School Boards. Nothing was too great for the Metropolitan Board of Works and nothing too small—on the one hand constructing such works as the Thames Embankment, and on the other carrying out provisions for the regulation of a peculiar process known in the Metropolis as "baby farming." Then if their Lordships regarded the financial aspect of the question, they would see the growing importance of the Metropolitan Board, and that it occupied a position which rendered it eminently respectable even in comparison with the largest municipal corporations. Between 1856 and 1874 it had borrowed no less than £17,460,000, and had then a gross outstanding debt of £11,830,000, or, making allowances for assets and debts due to them and for the property they held, a net debt of £9,200,000. Its total receipts in 1874 amounted to £2,460,000, and its expenditure during the same year to £1,725,000. The sum which under its Acts the Board was entitled to raise by precept from the various parishes of the Metropolis amounted in 1871 to £260,000, and in 1875 to £446,000. The salaries and wages paid by the Board amounted to £35,000 in a year, and its law and Parliamentary expenses to £15,000. At present it was applying to Parliament for some millions of money—he could not say how many. These statements were in themselves sufficient to show the importance of the Metropolitan Board of Works as a managing body, and the need of its being brought into more immediate and direct contact with the ratepayers. At present the Metropolitan Board of Works was elected by the Vestries, one-third of its members retiring every year. The Vestries were elected by the ratepayers, one-third of the members of each Vestry retiring each year. So that it took three years to elect the whole of the Board or the whole of a Vestry. He submitted that such a mode of election as that applied in the case of the Metropolitan Board was anomalous and undesirable — evidently it removed the Board as far as possible from the general body of the ratepayers. If it had been intended to delude the ratepayers into the idea that they had any real effective influence over the Metropolitan Board, no better system could have been devised than the secondary process of election. It was, however, not difficult to see the way in which such a mode of election, though unknown in any other of our institutions, originated in 1855. The promoters of the Act of that date had much hope in the system they were establishing. They thought that great interest would be taken in the selection of Vestries, and that therefore in the election of the more important body it would be better to trust to the Vestries selected after much care than to the ratepayers at large. How had their anticipations been fulfilled? He believed it was hardly necessary for him to state that very little interest was taken in the election of Vestries. When the ratepayers were called upon to elect the vestrymen they did so only for local purposes and for local considerations. He had before him statistics as to the number of voters which showed this, and also that it was very seldom a poll was demanded. Then how did the Vestries so elected elect the Metropolitan Board of Works? They could return anyone they chose, but they chose to return vestrymen. Their Lordships would see the result of that practice. It was that any person who wished to get returned as a member of the Metropolitan Board of Works must first go through the ceremony of a vestry election—an ordeal which it was easy to understand many persons had a strong objection to go through. Had the object been to conceal from the ratepayers the interest they ought to have in respect of the proceedings of the Metropolitan Board of Works, no better system of election could have been devised. Suppose the ratepayers were discontented with the Metropolitan Board of Works, let their Lordships consider how long it would take them before they could give effect to that discontent. They could only make a change by electing new Vestries—this, as only one third of the Vestrymen went out in each year, would take three years; and, as it fell to each Vestry on every third year to nominate its representatives on the Metropolitan Board of Works, it might possibly happen that it would be three years more before they had got rid of the old Board and elected a new one. Therefore, with a prospect so remote, it was no wonder that the ratepayers should be indifferent and disposed to let matters take their course. In attempting in this Bill to deal with this evil, he had followed exactly the precedent of the school-board elections. By Clause 16 it was provided that all the members of the board should be elected at the same time; so that the issue would be distinctly brought before the ratepayers, and they would feel that they were electing persons to whom their interests and the expenditure of vast public funds were entrusted. It had been shown by the school-board election, that when the electors felt a direct personal interest in the result a far larger number expressed their opinions at the poll; and with that view it was of the highest importance to abolish the present system of secondary election. Then Clause 4 proposed that the vote should be cumulative; and Clause 10 that it should be by ballot. Then, by Clause 3, it was proposed to increase the number of the members of the Metropolitan Board to 100 instead of 45, as fixed by the Act of 1855. If 45 were required at that time to do the current work of the Board, it was absolutely necessary, now that that work was more than quadrupled, to increase the number of Members. He found from the published Returns, that in 1874 there were 74 meetings of the whole Board, and 224 committee meetings. Looking at the number of committees of the Board acting in 1874 and at the number of members on those committees, if at each meeting of a committee there was a quorum of 15 members, each member of the Board must have been present at business on no fewer than 107 occasions. This imposed upon each member an amount of work which it was unreasonable to expect from an unpaid body. The proposed increase to 100 was by no means excessive. The Act of 1855 proposed 120 as the maximum for Vestries, and in five or six cases the Vestries actually consisted of that number. The Court of Common Council of the City of London—the work of which did not approach, either in importance or amount, that of the Metropolitan Board of Works—had 232 members; and it had never been alleged that that Body had been found too large to be manageable. Another advantage would be gained. It would redress some of those inequalities of representation which unavoidably occurred at the passing of the Act of 1855. Of course, at that time there were all kinds of local bodies, local interests, and local jealousies to be met; and it was not surprising that there should be great inequalities in the first scheme of representation. Since that time the tendency had been to increase rather than to decrease those inequalities; and if any changes were made at all, a reform in that direction was imperatively necessary. The mode in which this was proposed to be done was based on the population of the parishes or districts. He did not attach so much importance to this portion of the Bill, and he should be guided in respect to it by the opinions expressed by their Lordships; but with respect to the other part, he looked forward with confidence to the sanction of their Lordships. There was one other provision he ought to mention, that contained in Clause 5, under which the Local Government Board might by Order from time to time vary or change the area of the divisions, and might abolish any such division or divisions or constitute any new ones, and also vary or change the number of members to be elected to the Board by any division. At present the Metropolitan Board had that power in respect to the Vestries. Local taxation was become yearly and monthly a matter of greater importance, and he thought their Lordships would look with favour on a measure having for its object to bring representation and local taxation in more direct harmony. He was not able to see any good objection to the principle of the Bill; and that being so, he would listen with some interest and curiosity to the noble Earl who, on the part of the Government, had given Notice of an Amendment for the rejection of the measure. He begged to move the second reading.

Moved, That the Bill be now read 2^a.—(*The Earl of Camperdown.*)

EARL BEAUCHAMP, in moving that the Bill be read a second time that day six months, said, he did not deny that it was useful from time to time to bring the constitution and acts of a great public body like the Metropolitan Board of Works under the notice of Parliament; but when the House was asked to entirely change its constitution, it was necessary to look narrowly for some justification for such a measure. Now, the propositions to which the noble Earl (the Earl of Camperdown) attached the chief importance were these—the Bill proposed to increase the number of members of the Board from 45 to 100; to the complete election of the Board at one time every three years; and a direct representation of the ratepayers rather than by a secondary election by the interposition of the Vestries. The changes proposed by the Bill were either imperatively required or they were not. If not, then he need not take up their Lordships' time with showing that they ought not to interfere with an organization so extensive. The origin and history of the Metropolitan Board of Works was not shrouded in the mists of antiquity or inaugurated by the Barons at Runnymede, but from its commencement to the present time its existence was full in the recollection of most of their Lordships, and it had been throughout a most useful servant of the public. The question then arose whether there was any reasonable prospect by the action of this Bill of enabling the Board to better carry out its duties? If not, the matter had better be left alone. If, on the other hand, Parliament should think that it was required, they ought to proceed on one of three grounds—that the Board did what was wrong, or that it failed to do what was right, or that it did what was right in an inopportune manner, and he thought the noble Earl had failed to show that there had been any failure in respect of any one of these points. The noble Earl seemed to think that the Metropolitan Board had taken upon itself duties that did not belong to it. That was an error. In the Report of the Select Committee of 1866 and 1867 there was a detailed description of the duties which the Board at that time was called on to perform, and since its formation many new duties had been cast upon it connected with the local government and local taxation of the Metropolis. This was of itself sufficient to show that the Metropolitan Board continued to enjoy the confidence of Parliament. No doubt the work to be discharged by the Board was of great importance; but he did not understand the noble Earl to charge as against the Board that it was invested with an excess of powers: neither had the noble Earl asserted that the members of the Board were a set of busybodies who exceeded their powers. But even if either of those charges had been brought against the

Board, there would have been a long step between that and the proposition that the constitution of the Board ought to be amended in the way proposed. It could scarcely be denied that the existing system had secured the accumulated experience of 20 years. He did not think the noble Earl objected to it on that ground. Well then, if, on the whole, the Board had risen to a sense of its obligations and conducted its business in a proper manner, the case against its present constitution fell to the ground—for he was sure their Lordships would not be led away by a name. Parliament had shown its confidence in the Metropolitan Board of Works by constantly investing it with additional functions; such as those which had been conferred on it within the last three years in connection with slaughter-houses, the cattle plague, and artizans' dwellings. The constitution of the Board was rigorously examined in 1861 by a Select Committee of the other House of Parliament; but it was impossible not to conclude from an examination of their Report that their recommendations fell far short of what the noble Earl proposed in his Bill. He admitted that the Select Committee of that year reported that "greater authority would be attached to its deliberations if the Board were elected directly." He made the noble Earl a present of that recommendation, because the functions of the Metropolitan Board of Works were not those of a debating society; they were administrative, and not deliberative. In 1866 another Select Committee of the House of Commons inquired into the local government and local taxation of the Metropolis. That Committee also recommended another constitution of the Board from the one now in existence. It recommended, first, that property should be more largely represented on the Board by the introduction of Justices; next, that in the event of property occupied by the Crown being taxed, the Crown should be allowed to appoint two members; next, that four Members should be returned by the governing bodies as under the existing system; and lastly, that a certain number of members should be elected directly by the ratepayers. He made the noble Earl a present of this last recommendation also, when taken in connection with the three which preceded it in the same report. They were not now considering what ought to be done in a Utopia or a country of the future, and therefore he declined to embark in an abstract discussion on the relative merits or demerits of a direct as compared with an indirect representation of the ratepayers on the Metropolitan Board of Works. The noble Earl said that under the existing system each member of the Board had to sacrifice 107 days in the year to his official duties; but when Mr. Beale, who could not be supposed to be over friendly to the Metropolitan Board of Works, was asked by a Select Committee whether he thought it was necessary to make a large allowance for the absence of members in public bodies, he pointed to that Board to show that the attendance of its members was much larger than that of any Vestry. The noble Earl urged as an objection against the present system that only vestrymen were elected members of the Board. But did not this filtration through the Vestries produce cordial and harmonious action between the Vestries and the Board itself, and did it not secure on the Board the presence of men conversant with the class of duties which the Board had to discharge? The question really was, were there such faults in the present system as to render necessary a heroic measure like that of the noble Earl? There was no reason to suppose that any advantage would follow the adoption of the principle of the Bill. With reference to the proposed increase of members of the Board, the schedule of the Bill was based, as he understood it, on population alone. But in 1855 population was by no means taken as the sole test of the matter, and he thought it would be difficult to make out that it ought to be taken as the sole test. It would be difficult to define justly the exact proportions of the various elements of representation. The Report of the Committee of the House of Commons in 1867 differed materially from the scheme proposed by the noble Earl. If we departed from the existing system we should be landed in considerable difficulty. Another point was the system of triennial elections proposed by the noble Earl. It was true that the members of the School Board were elected triennially; but he did not think that the elections of the members of the School Board had been so satisfactory to the ratepayers, so far as economy was concerned, that they would wish to see the system of triennial election adopted in the case of the Metropolitan Board of Works. He wanted to know why that system should be adopted. The members of the municipal corporations throughout the United Kingdom were not triennially elected. Very good care was taken so to arrange the numbers of each of those corporations that only a third of the members went out of office and a third was elected. Great improvements had been made in London since the Metropolitan Board of Works had commenced operations. The rateable value of property in the Metropolis in 1856 was £11,283,663, and under their administration it had become upwards of £23,000,000. Every act of the Board was made public and was subjected to rigorous scrutiny, and what they had effected since they were liberated from local control had commanded admiration. They had promoted the health, the happiness, and the prosperity of the toiling millions of London, and it would be the highest unwisdom to interfere with their constitution merely to satisfy philosophical ideas and abstract theories. Under these circumstances, he begged to move that the Bill be read a second time that day six months.

Amendment *moved* to leave out ("now,") and add at the end of the Motion ("this day six months.")—(*The Earl Beauchamp.*)

Viscount ENFIELD said, that this was not a proposition to sweep away the Metropolitan Board altogether, but to extend its powers, authority, and influence all over the Metropolis—in short, as he regarded the measure as being calculated rather to strengthen than to diminish the position of the Board, he should vote for the second reading. Moreover, as the right hon. Gentleman the Secretary of State for the Home Department stated last year that they did not get the best men to sit at the Vestries, he should consider that as a good reason for voting for this Bill. The noble Earl (Earl Beauchamp) had questioned the necessity for any measure being passed on the subject; but the history of the last 40 years showed that the ratepayers of the Metropolis generally were far from being satisfied with their system of local government, and consequently there had been Commissions and Select Committees and Bills and Resolutions upon the subject, in the hope of effecting some improvement in the administration of metropolitan affairs and the rates. The proposals that had been hitherto made for the improvement of that system had failed on account of their attempting too much, by suggesting the establishment of one huge, unwieldy government for the whole of the Metropolis, instead of trying to utilize the existing Metropolitan Board of Works. He thought that it would be unwise to interfere with the constitution of the City of London, which, besides being very strong and difficult to deal with, was admirably managed so far as the paving, lighting, and cleansing of the streets were concerned. He thought, therefore, it would be wiser to leave the City alone. But, so far was he from wishing to take away any of the powers of the Metropolitan Board that he would desire to extend those powers by handing over to it those duties of lighting and cleansing the streets which were now performed by the Vestries, and he would also extend the powers of the Board and give them the management of all open spaces in the Metropolis. Looking at what had been effected by the Board since 1855, he quite agreed that a large amount of good work had been done; and, as he wished the Board to become the municipal body for the Metropolis outside the City, he should give this measure his hearty support. He hoped that the Board would, when it had larger powers, perform other good works. If, however, the Bill should be rejected, he trusted that the Government would take the matter in hand and deal with it in the direction now proposed.

Earl DE LA WARR said, that the charges upon the ratepayers in all parts of the country were becoming heavier every year, and he contended that those who paid the rates should have a direct representation and the appointment of all officials by whom the rates were expended. That was the principle of local Government in this country, and for those reasons he must give his vote in favour of the Bill; though he hoped that the noble Earl would not press those provisions of it which had reference to an increase of the members of the Metropolitan Board of Works to 100.

He did not think that the Board would be made more efficient, but would be rather weakened, by such a large increase in the number of members. The present system of management of local affairs in the Metropolis was not satisfactory; as there were, he believed, no less than 38 Vestries having jurisdiction concurrent with, or in addition to, the Metropolitan Board of Works, and entertaining very discordant views on many important questions. The consequence of all this different management was apparent by the great inconvenience which was continually experienced in passing through the streets of the Metropolis. He hailed this Bill with satisfaction as being a step towards placing the local government of the Metropolis upon a better footing.

THE EARL OF KIMBERLEY said, that having in 1855 had charge of the Bill under which the Metropolitan Board of Works had been constituted, and under which so much good work had been done, he wished to say a few words in reference to the measure now before the House. He desired to point out that this was a question of practical, not Utopian legislation. The fact that the Metropolitan Board of Works had been very successful in transacting important duties, had expended large sums of money, and carried through an extensive system of sewage works, had proved its capacity for performing the duties entrusted to it, and therefore he thought that the disposition of Parliament would be to add to the duties of the Board, and to grant it larger powers, so that its authority and influence might be extended; and that, he contended, would be the case if the Board derived its authority directly from the ratepayers. He considered that it would be highly desirable to strengthen the hands of the Board. The subject, however, was an exceeding large one, and an objection to the Bill which might be admitted to possess some weight was that by bringing it forward now his noble Friend might be supposed to prejudge a much larger question—namely, the giving of more complete local institutions to the whole of the Metropolis. He hoped this larger question would speedily be brought before Parliament, and settled in some way or another. The noble Earl who moved the rejection of the Bill (Earl Beauchamp) certainly made an admission which should raise the hopes of its supporters. The Report of the Select Committtee of 1866 did not go the length of recommending that the whole of the members of the Metropolitan Board should be elected by direct representation, but it certainly expressed the view of the Committee that a portion of its members should be so elected. It was satisfactory, therefore, to find the Lord Steward, although opposing the Bill of his noble Friend, admitting that some reform was necessary and that it ought to tend in the direction of election by the ratepayers independently of the Vestries. His noble Friend (the Earl of Camperdown) had done good service by bringing the matter forward, and he thought, on the whole, that little, if any, advantage could be gained by pressing the Bill to a division at the present time.

EARL FORTESCUE regarded the introduction of the Bill as so far satisfactory that it afforded evidence of a growing feeling of dissatisfaction among the ratepayers of the Metropolis against the present system of management — a system which he ventured to oppose when it was introduced to Parliament, as not likely to prove either sound or economical. And the heavy pressure of the rates and the unsatisfactory state of the roads, especially in the Metropolis, had ever since too well fulfilled his predictions. He had protested against the large number of vestrymen allowed in each parish under that Bill, in many cases amounting to 120. He had objected also to the number—45—of members in the Metropolitan Board; for he entirely agreed with his noble Friend opposite that administrative bodies in which the members made long speeches for the purpose of catching popular applause, were very unlikely to do their work well. There were a good many points in which he thought the Bill of his noble Friend highly objectionable. For instance, it was not only proposed to have a directly-elected body, but to have the whole of the members of it elected simultaneously every three years; so that if the Board should take an unpopular line it might happen that the whole of the members would be rejected and not a single old member left to assist in carrying on the affairs of the Board according to its traditions. That would be an evil. Then, even if the great subdivision of labour made it necessary now that the numbers of the Board should be kept up in order to supply members for the different committees, to increase it to more than double the number of the present members would be, he feared, to convert an administrative body into an area of discussion in which eloquence and plausibility would attain far greater influence than an intimate acquaintance with the subjects to be dealt with; and thus sound views and practical administration would be practically eliminated from the proposed body. He could not regret that the subject of local government for the Metropolis had been discussed in their Lordships' House. It had long been a pressing question, and one that demanded the most careful and deliberate consideration of Her Majesty's Government. The magnitude of the task which he trusted the Government would soon have leisure to undertake, whether as regarded sanitary or economic considerations, could hardly be overrated. His noble Friend's Bill proposed to touch one part of the question only, and that very unsatisfactorily, and he could not therefore support it.

THE EARL OF CAMPERDOWN said he would not put their Lordships to the trouble of dividing.

On Question, that ("now") stand part of the Motion? *resolved* in the *negative.* Bill to be read 2ª *this day six months.*

House adjourned at a quarter past Seven o'clock, till To-morrow, half-past Ten o'clock.

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HOUSE OF COMMONS,

Monday, 5th March, 1877.

MINUTES.]—NEW MEMBER SWORN—John Tomlinson Hibbert, esquire, *for* Oldham.

SELECT COMMITTEE—Carriers Act, 1830, *nominated.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES AND ARMY SUPPLEMENTARY ESTIMATES.

PUBLIC BILLS—*Second Reading*—Consolidated Fund (£350,000) *.

Committee—Justices Clerks (*re-comm.*) * [5]—R.P.

Third Reading—Forfeiture Relief * [60], and *passed.*

POST OFFICE—FRANKING OF PARLIAMENTARY PAPERS.—QUESTION.

MR. M'LAREN asked Mr. Chancellor of the Exchequer, Whether, with a view to disseminate the valuable information contained in many Blue Books and other Parliamentary Papers, he will arrange with the Post Office Department to allow Members of Parliament to send to their constituents, free of postage, their own copies of such Papers and other copies which they may purchase when posted at the Houses of Parliament in the same manner as Bills are now posted, it being understood that the Post Office authorities shall not be bound to forward such Papers on the day on which they are posted?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he entirely agreed with the hon. Memer for Edinburgh that it was desirable that the information contained in these Blue Books should be disseminated through the country, and that hon. Members should take the opportunity of sending their own or other copies to those of their constituents who desired that information. But he was sorry to add that he did not see his way to restoring even to a limited extent the privilege of franking to Members of the House. The cost of postage was really very cheap, and he saw no necessity for returning to that system.

THE BOROUGH MAGISTRATES—CITY OF EXETER.—QUESTION.

SIR EDWARD WATKIN asked the Secretary of State for the Home Department, If Mr. Buckingham and Mr. Follet, practising solicitors, Mr. Loyd, and Mr. C. Lewis, have been placed in the Commission of the Peace for the city of Exeter; and, if so, if he has any objection to lay upon the Table the statements or representations upon which the Lord Chancellor was induced to appoint?

MR. ASSHETON CROSS, in reply, said, with reference to the subject, he had received the following communication from the Lord Chancellor:—

"The Lord Chancellor appointed the four gentlemen alluded to by Sir Edward Watkin to be magistrates of the city of Exeter on the 26th of January last. Before appointing these gentlemen the Lord Chancellor satisfied himself that they were in all respects highly eligible for the office. They are all gentlemen of high standing, three of them having served the office of

Mayor of Exeter, besides holding other public positions of responsibility in the city. It is true that Messrs. Buckingham and Follet are solicitors, but their business is not of a nature to oblige them to appear before the city Bench, and before appointing these gentlemen the Lord Chancellor obtained an assurance from both that neither of them, nor any member of their firm, would practise before the city magistrates so long as their names remained on the commission of the peace. There is no rule by which solicitors are excluded from the Bench in boroughs, but the Lord Chancellor's custom is not to appoint gentlemen of that profession if they are in the habit of practising before the Bench of the borough or city in which they carry on their business. It is not the practice, and it would be prejudicial to the public service, to lay on the table the papers connected with the information which the Lord Chancellor has to collect on the appointment of magistrates."

EDUCATION—THE CELTIC AND WELSH LANGUAGES.—QUESTION.

Mr. O'CLERY asked the Chief Secretary for Ireland, If, having regard to the Clause in the New Education Code for England and Wales, which directs that in districts where Welsh is spoken the intelligence of the children examined may be tested by requiring them to explain in Welsh the meaning of passages read, Her Majesty's Government will be prepared to afford the same recognition to the Celtic language in the Irish National Schools, from which it is now practically excluded?

Sir MICHAEL HICKS-BEACH: Sir, I am informed that Inspectors of Schools in Ireland, in the comparatively few districts in which the Celtic language is the only language spoken by the peasantry, generally take pains to test the intelligence of the children by requiring them either directly, or through the teachers, to give explanations in that language of the English passages which may be the subjects of examination. But I cannot admit the assumption in the hon. Member's Question—that the Celtic language occupies in Ireland a similar position to that which the Welsh language holds in Wales, as being founded on fact. In Wales the Welsh language is not only spoken, but is also in constant use as a written and printed language. Books and newspapers are constantly printed and published in it, placards and advertisements in Welsh may everywhere be seen; but in Ireland the Celtic language may be said, even by the few who use it, to be a spoken language only. No Celtic newspaper or advertisement is ever seen, and, with one or two very rare exceptions, no modern literature in it can be said to exist. I cannot, therefore, think that it would be reasonable to treat the two countries in a precisely similar way in this matter.

INUNDATIONS IN IRELAND—THE RIVER BANN.—QUESTION.

Mr. LAW asked the Chief Secretary for Ireland, Whether his attention has been called to the frequent inundations caused by the overflow of the River Bann, below Lough Neagh, and especially the great injury done to property there by the floods of the past winter; and, whether it is the intention of Her Majesty's Government to take any steps or propose any measures to prevent the recurrence of this mischief?

Sir MICHAEL HICKS-BEACH: Sir, the attention of the Government was called to this subject in February by two memorials which they received from a public meeting at Portadown, and from the Guardians of the Ballymoney Union, and which are now under consideration. But I am bound to say that this last winter has, in the North of Ireland, as elsewhere, been perfectly exceptional with respect to the floods; and there are important interests in connection with navigation and fishery connected with the lower Bann which will, I fear, make it extremely difficult for Her Majesty's Government to take any such measures as the right hon. and learned Gentleman would suggest to prevent a recurrence of the evil.

HOME OFFICE—RECEPTION OF DEPUTATIONS.—QUESTION.

Mr. MITCHELL HENRY asked the Chief Commissioner of Works, Whether any steps have been taken, or will be taken, at the Home Office, to improve the accommodation for the reception of Deputations?

Mr. GERARD NOEL, in reply, said, he was unable to give any definite answer to the Question.

THE CONSTABULARY (IRELAND)—APPOINTMENT OF DEPUTY INSPECTOR GENERAL.—QUESTION.

Mr. PARNELL (for Mr. Biggar) asked the Chief Secretary for Ireland, If it is a fact that, on the promotion of

Colonel Hillier to the post of Inspector General of Constabulary in Ireland, his place was filled by the selection of Colonel Bruce, who was placed over all the County Inspectors and two Assistant Inspectors General; and, if above statements are true as to fact, what special fitness does Colonel Bruce possess to justify the appointment?

SIR MICHAEL HICKS-BEACH: Sir, when the post of Deputy Inspector General of Constabulary became vacant by Colonel Hillier's promotion, Colonel Bruce was appointed to it in preference to the Assistant Inspectors General and all the County Inspectors. Besides distinguished service in the Army, Colonel Bruce held for some time the appointment of Inspector of Volunteers in the Lancashire District, having, I believe, about 10,000 men under his control in that capacity. He was subsequently appointed by the magistrates of Lancashire, Chief Constable of that important county; he held this office for nine years, having a very large police force under his command. At the expiration of that time, he was most strongly recommended by gentlemen holding high positions in Lancashire, who were thoroughly acquainted with the way in which he had performed his duties as Chief Constable; and it therefore appeared to the Irish Government that he was not only exceptionally qualified for the office of Deputy Inspector General of Irish Constabulary, but that they were specially fortunate in securing his services for the post.

CRIMINAL LAW — THE CONVICT TREADAWAY.—QUESTION.

SIR JAMES LAWRENCE asked the Secretary of State for the Home Department, Whether he has any objection to make public the reports of the medical officers who examined the convicted murderer Treadaway, and also the communication received from Mr. Justice Lush with reference to the commutation of the sentence passed upon Treadaway?

MR. ASSHETON CROSS: Sir, it has never been the practice to lay such communications upon the Table of the House, and, moreover, it would very often be impossible, as they are frequently made *vivâ voce.* But I have no objection to state in the present case that the prisoner was tried before one of the most experienced and eminent Judges upon the Bench. He had a fit in the course of the trial, and evidence was given as to epilepsy in his family and in his own case. Doubts occurred to the learned Judge as to the effect this had had in weakening the prisoner's mind, and he recommended the inquiry which was made for his own satisfaction by two eminent medical gentlemen. He afterwards advised the commutation of the sentence, on the ground that the convict was an epileptic, and might be treated as a person who had been deprived by disease of the capacity he would otherwise have had to resist the criminal impulse. I do not think that any Secretary of State would have been justified in departing from the usual rule by refusing to advise Her Majesty to act in accordance with the recommendation of so experienced and able a Judge.

ARMY—PROMOTION OF CAPTAIN R. W. NAPIER.—QUESTION.

SIR ALEXANDER GORDON asked the Secretary of State for War, If he will state what was the service, and the date of such service, on account of which Captain the Honourable R. W. Napier, Second Squadron Subaltern of the 18th Bengal Cavalry, and now serving as an Aide de Camp at Gibraltar, was, on the 19th August last, rewarded by promotion to the rank of Brevet Major, over the heads of (about) 1,443 captains who were senior to him in the Army?

MR. GATHORNE HARDY: Sir, it has been usual when the Commander-in-Chief in India vacates his command to grant to one of his personal Staff, if he has sufficient claims for services performed, promotion to a higher grade. Captain the Hon. R. W. Napier, of the Bengal Cavalry, was the senior aide-de-camp, and had performed good service in the field during the Umbeyla and Abyssinian campaigns. As this compliment had been paid to many retiring Commanders-in-Chief of the British Service—namely, granting a step in rank to members of their Staff who were British officers, His Royal Highness the Commander-in-Chief would have been extremely loth to have seen an invidious and unfavourable distinction made when the officers concerned were, and for the first time, of the Indian Service, and the Secretary of State for India in Council fully concurred with His Royal Highness in recommending the promotion to Her Majesty.

ARMY—CONTROL PAYMASTERS AND COMMISSARIES GENERAL OF SUPPLY AND ORDNANCE.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether several General Officers commanding districts have recently made representations regarding the unsatisfactory position of the Control Paymasters in their relations with the Commissaries-General of Supply and Ordnance, and the conflict of authority arising therefrom; whether his attention has been drawn to the desirability of making the Pay Department independent of interference from those Commissaries-General, as regards its financial functions, in respect to payments for contracts originating with those officers; and, whether it is a fact that, in consequence of the officers of the Pay Sub-Department bearing Commissions appointing them to the defunct Control Department, and their designations not having been changed since its abolition thirteen months ago, their promotions and appointments, unlike those of officers in any other branch, are at a standstill because they cannot be gazetted in the customary form?

Mr. GATHORNE HARDY: Sir, representations have been made with regard to certain paragraphs of the Ordnance Store Regulations which have been interpreted by some Ordnance Store officers in a sense opposite to that in which the Commissariat Regulations as to pay have been understood by Commissariat officers. It has been suggested at times that the Pay department should be independent of the Commissariat. The promotions and appointments in the Pay sub-department of the late Control are practically suspended. Both the latter points stand for decision in a scheme now under immediate consideration, and with regard to the first matter mentioned advantage will be taken in the issue of revised Regulations to clear up the point in dispute.

LORD CHIEF JUSTICE COLERIDGE—COST IN POACHING CASES.

QUESTION.

Sir CHARLES LEGARD asked Her Majesty's Government, Whether their attention has been called to the refusal of costs of prosecution by Lord Coleridge on the conviction of three men for night poaching, when he is reported in the "Times" to have said—

> "That it was the first occasion any such application had been made to him, and he hoped it would be the last, for he certainly never should order the costs in any such case. He wished it to be distinctly understood that he was only following the *dicta* of eminent Judges. The law ought undoubtedly to be enforced, but as the law protected the amusements of rich people, they must pay for its enforcement."

If he would inform the House what are the dicta on which Lord Coleridge relies, and who are the Judges who have uttered them; and, whether this doctrine is in conformity with the Law of the land?

Mr. ASSHETON CROSS: Sir, as I, of course, have no jurisdiction in the matter, I think the best thing I can do is to read to the House a letter which I have received from the noble Lord for that purpose—

> "Sir, I am much obliged to you for calling my attention to Sir Charles Legard's Question, of which I should have been otherwise entirely unaware, for that Gentleman has not extended to me what I think is the usual courtesy, when such Questions are intended to be made, of inquiring whether the words to be made the subject of question or comment were used, in fact, by the person to whom they were ascribed. Of the general accuracy of the report quoted from *The Times* I have no reason to complain; I did not, however, use the word 'dicta,' but the word 'practice,' which makes some difference. As far as I know, there are no dicta on the subject; nor is it likely, from the nature of the case, that there should be. I spoke of the practice of Judges, and the Judges I had in my mind at the time I spoke were Justices Maule, Erskine, Patteson, and my own father. I believe, as a matter of fact, the list might be largely extended, but these are enough. I did not, however, and do not, wish to shield myself under any authority, however venerable. I acted according to law, with, I hope, a proper sense of duty, on my own sole responsibility, and (disclaiming offence) I must add that I am not accountable for my acts to any Member of the House of Commons. A letter addressed to the Secretary of State to be read in the House of Commons is not, I think, a convenient medium for any discussion of the general question; but, by law, the costs in prosecutions for breaches of the Game Laws cannot, without the authority of the Judge, be inflicted on the ratepayers; and the offence tried before me at Durham is an offence which, by law, justices of the peace cannot try. The experience of other men may be different, but this was the first occasion on which any attempt has been made before me to inflict the costs of such a prosecution upon the ratepayers. I refused them, and shall probably

continue to refuse them, upon grounds which appear to me conclusive, but with the statement of which I do not think it necessary to trouble you or the House of Commons."

SIR CHARLES LEGARD intimated that, on the earliest opportunity, he would call attention to the subject and move a resolution.

THE SUEZ CANAL COMPANY—THE SURTAX—REPRESENTATION, &c.

QUESTION.

SIR H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer, Whether any arrangement has been arrived at with the Suez Canal Company on the following points, viz., as to the continuation of the surtax; as to the withdrawal of the protests made by the Company against the decisions of the Tonnage Commission of Constantinople; as to the right of voting at general meetings by Her Majesty's Government in respect of the shares purchased from the Khedive; and as to the additional works to be made at the expense of one million francs yearly for thirty years, specifying whether the funds are to be provided out of earnings or by loan; and, whether the Papers promised to be laid upon the Table will contain any information on the subject?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the convention made in February last year between M. de Lesseps and Colonel Stokes provided for a first reduction of the surtax by 50 centimes per ton from January 1, 1877, but, as it had been necessary to obtain the consent of the other Governments who were parties to the Convention, and as this had taken a longer time than had been anticipated, it had not been possible for the company to hold a special meeting earlier than January 10 for the purpose of receiving M. de Lesseps' communication on the subject. The reduction could not take effect before the middle of April, three months' notice from January 10 being necessary; he had no doubt, however, of its taking place on that date. As to the protests referred to in the Question, they had been withdrawn by M. de Lesseps. The right of voting at general meetings had been claimed by Her Majesty's Government in respect of the Shares purchased from the Khedive, and the Company had objected to the demand on the ground that the coupons were not attached. Against that objection Her Majesty's Government had protested, and he believed the matter would soon be concluded. With regard to the additional works which were to be carried out at an expense of 1,000,000f. yearly for 30 years, they were the subject of one of the conditions of the Convention of February. It was presumed that the intention was to provide the amount in question out of the earnings of the Canal. Looking at the progress of the undertaking, and the fact of an increasing dividend, there were probably no grounds for expecting that it would be necessary to raise money for these works by some special means; indeed, Her Majesty's Government understood that provision had actually been made so far as the regular Budget for the present year was concerned. Papers were about to be laid on the Table that would give every necessary information upon the points referred to.

THE CATTLE DISEASE—THE WEST RIDING OF YORKSHIRE.

QUESTION.

MR. W. LOWTHER asked the Vice President of the Privy Council, Whether, as the cattle disease is known to exist at Hull, measures cannot be taken by the Privy Council to induce the local authorities of the west riding of Yorkshire to suspend in that county all fairs and markets, as has been already done in the east and north ridings?

VISCOUNT SANDON: Sir, by an Order of Council, of February 13, a local authority may make regulations—1, prohibiting the holding of fairs and markets; 2, prohibiting or regulating the movement of cattle. The local authority for the West Riding has prohibited the movement of animals, but does not appear to have considered it necessary to prohibit fairs and markets. The Order of Council for the East Riding was issued only because it was necessary to stop York Fair, which was to be held on the following day. As Hull is the only place in Yorkshire where cattle plague is known to have existed, the Privy Council have not thought it necessary to interfere with the proceedings of the local authority in the West Riding. I may add for the information of the House that there has been no fresh case of cattle plague reported since February 27.

RAILWAY DEPARTMENT, BOARD OF TRADE—CAPTAIN TYLER.

QUESTION.

Mr. GOLDSMID asked Mr. Chancellor of the Exchequer, Whether it is true that, since the 15th of May, 1874, Captain Tyler, the Chief Inspector of Railways under the Board of Trade, has accepted the permanent offices of President of the Grand Trunk Railway of Canada and Chairman of the Central Argentine Railway Company; and, if correct, whether Captain Tyler has obtained permission of the Board of Trade to hold those appointments; and, considering the view expressed by him (as a Member of the Government) to the House on the 15th of May 1874, whether Captain Tyler will be allowed to retain such appointments?

The CHANCELLOR of the EXCHEQUER: Sir, Captain Tyler has not accepted the office of chairman of the Central Argentine Railway Company. He was offered the chairmanship of the Grand Trunk Railway of Canada Company some time ago by the Directors, and he expressed a willingness to accept that appointment subject to certain conditions; but those conditions could not be agreed to by the Company until their general meeting, which, I believe, is to be held in the first week in April. Captain Tyler has consequently not yet accepted the office, and it is uncertain whether he will do so or not. As soon, however, as he intimated his willingness to accept it, he placed his resignation of the office as Chief Inspector of Railways in the hands of the President of the Board of Trade; but he was requested to continue the discharge of his duties at the Board pending the decision of the question whether he would accept the chairmanship of the Grand Trunk Railway or not. He has not obtained leave from the Board to hold both appointments, and most certainly will not be allowed to retain his office under the Board if he accepts the chairmanship.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—CASE OF GUNNER CHARLTON.

RESOLUTION.

Sir EDWARD WATKIN, in rising to call attention to the case of the late Gunner Charlton, and to move—

> "That the facts disclosed in the case of the late Gunner Charlton call for the serious attention of the War Office, both as respects the cruelty inflicted upon the individual soldier, and the delay and uncertainty exhibited in reference to the compensation for his suffering and injuries,"

said, the objects he had in bringing forward the case were two-fold—first, if possible to vindicate the memory and obtain a proper inquiry into the grievances of an estimable soldier; and the other to prevent, if possible, similar cruelties being inflicted on any soldier in the future. The right hon. Gentleman the Secretary of State for the Home Department had wisely, with great promptitude and humanity, dealt with the second part of the question, inasmuch as he had told the House the other night that he had ordered the dietary of military prisoners in Millbank and other civil prisons to be raised a little above the standard of that of the civil criminals confined in those establishments, and he had also slightly improved the dietary of the civil prisoners. This, therefore, could no longer happen, that whereas the soldier on service or in barracks received about 7lb. of meat, in addition to his other food, weekly, the moment he was confined at Millbank all the animal food he received was 8oz., or 4oz. upon two occasions throughout the seven days. The case of Gunner Charlton had been the subject of Question and Answer in that House on eight or nine occasions, and the facts of the case, as ascertained by careful inquiry, were these. Up to the time of his death, two months ago, this man had been 13 years in the Royal Artillery, and had served in India and in England. For some very slight error of discipline he was sent for 112 days to Millbank, and whilst there he fell ill, and was sent to the hospital. On his leaving that place, being unable to do his work, consisting of making 14,000 turns at the crank, picking a certain quantity of oakum, and he (Sir Edward Watkin) believed, doing some shot drill besides, he was sentenced by the governor to solitary confinement for 48 hours in a dark cell, and to live on bread and water—1lb of bread for the 24 hours. The result was that when he came out of the cell his feet were numbed and almost destitute of sensation. From that time, until the moment for his discharge, he suffered from that feeling of numbness. On the 1st of March, 1875, on a bitter winter's day, this man was handed over to his comrades to be taken back to Exeter. His clothing was the ordinary undress of a soldier. He had neither cloak, great coat, nor outside wrapper of any kind; and he was sent out in the early morning, when snow was upon the ground, and there was a severe frost, without having had one atom of food or a drop of drink. The reason assigned for this by the Millbank authorities was that at seven o'clock, when he was discharged, the hour of breakfast had not arrived, and it was not thought necessary to alter the arrangements of the prison for the sake of this one case; but it was said they gave him 6*d*. He had to march across Hyde Park, through the snow, to get to the Great Western Railway. When the train arrived at Exeter in the afternoon the man had to march to the Topsham Barracks. The result was that the next day he was totally disabled, and went to the hospital. It was then found that he had been suffering from frostbite, and after being delirious for some hours, suffering terrible agonies, he lost almost the whole of one foot, and all the toes of the other. This was the case of a poor man being literally "done to death" by cruelty in prison, by neglect afterwards, and by an amount of procrastination in dealing with the case which it was impossible for anybody but the right hon. Gentleman the Secretary of State for War to explain. He (Sir Edward Watkin) had ascertained from the gentleman who had had to do with his spiritual welfare that Gunner Charlton was "a man of good character, of more than ordinary intelligence, popular with his brother soldiers, and a good man;" although he did not mean to say that he had not the faults of a soldier. It seemed to him that this was a case which might do damage to recruiting and to discipline; and therefore he applied for information to Mr. Latimer, a magistrate of Exeter, and that gentleman told him that when, by chance, one of the artillerymen from the company in which Charlton served called upon him to attest a recruit, he said, in reply to his questions, that he knew Charlton, that his toes were off, and that the whole of the flesh was dropping off his feet. Mr. Latimer wrote down these words and read them to the bombardier, who said that Charlton was a ruined man, that he was delirious from fever, and that in this state he raved about Millbank, and said the dogs were gnawing his feet. The right hon. Gentleman promised that this case should be dealt with on its merits, and some relief given to this unfortunate man. The Home Secretary handed him over to the right hon. Gentleman the Member for Shoreham (Mr. S. Cave), who was at the head of Chelsea Hospital, and the Secretary for War recommended the case to the consideration of the Board of that hospital. But would it be believed that from the month of May, 1875, until the 1st or 2nd of January this year nothing was done to rectify the injuries inflicted upon this unfortunate man? A story was got up that Charlton had brought on his ailment by his excesses, but that was unfounded, and it was contradicted by the medical gentleman whom he (Sir Edward Watkin) sent down to see the man at Exeter, his report being that his constitution must have been perfectly healthy, or he could not have recovered from the severe injuries under which he had suffered. Charlton had, in reality, been the victim of cruelties as great as any which were perpetrated in Bulgaria. He had himself visited the cell at Millbank in which Charlton was confined, and he found there was a long slit in the wall opening out into the foss that surrounded the gaol. Consequently the draught in cold weather would produce such a stoppage of the circulation as must terminate in frostbite. On the 14th of February last year he (Sir Edward Watkin) was informed by the right hon. Gentleman the Secretary for War that he had laid the case before the Chelsea Hospital Board, and had desired them to give every possible attention to it at the earliest moment. He wrote, he was ashamed to say how many letters, to the right hon. Gentleman the Member for Shoreham, and at length he got a reply from the Board, dated the 11th of December, stating that the case in question had come under the consideration of the Board, held on the 28th of November, when, as the circumstances of the man's disability did not bring it under the provisions of any existing Warrant that would authorize the award of any pension by the Commissioners, it had been forwarded under the circumstances to the special consideration of the Treasury. At that time the man had been 17 months in hospital, and when he was discharged he (Sir Edward Watkin) sent him a sum of money to keep him out of the workhouse, and when he died he supplied the family with the means to give him Christian burial without their having to undergo the indignity of attending a pauper funeral. He then wrote to the right hon. Gentleman the Member for Shoreham, calling his attention to the case, and stating, although it was, he admitted, a hard word to use, that this unfortunate man was being slowly murdered; first, in consequence of his sufferings in prison; and, secondly, from the unaccountable delay in dealing with his case. On the 17th of August the right hon. Gentleman replied, telling him that it was to the War Office, and not to the Chelsea Commissioners, he should have addressed his letter, and that therefore he should not attempt to fasten the charge of murder on him. The right hon. Gentleman further said that the Hospital would have to decide upon the case of Charlton when it came before them; but they could not even take it into consideration until the new Warrant was issued. He next applied to the Secretary of the Treasury, from whom he obtained a great deal of courtesy; but though that hon. Gentleman was usually very expeditious, he did not make much progress with him on this matter. Having been foiled in all these attempts to rouse the attention of the authorities to the sufferings of this unfortunate man, he ventured to address a letter to the Field-Marshal Commanding-in-Chief, telling him that the state of Millbank Prison, where 500 soldiers were imprisoned, was such as to demand a personal visit from the highest military authority in the kingdom. He then went down into the country, and on the 8th of January, not knowing what had occurred in the meantime, and finding that Charlton was being worn out with disappointment and delay, he again wrote to the Secretary of the Treasury, asking if anything had been done in the matter, and got a reply from that hon. Gentleman's secretary, Mr. Primrose, informing him that the Treasury had authorized a pension of 1*s.* per day to Gunner Charlton, but that he had observed from the papers of the day that the man had since died, adding that it was not considered necessary that he (Sir Edward Watkin) should be apprised of the fact. He thought it was certainly strange that no announcement of the pension being granted should have been made, and on receiving that letter he immediately applied to the hon. Gentleman for the respective dates of the granting of the pension and the death of the pensioner. He should mention that on the 13th of December he had received a letter from the man, stating he had been told by a fellow-soldier that it took so many days between the application for and the ratification of a pension, and that he did not expect to hear anything about his pension until the 10th. That day came and went without his receiving any intimation of the kind, and so for the 14th, 15th, the 16th, the 17th, the 18th and the 19th, until at last on the 20th this poor soldier, broken down in health and mind, packed up all his little goods, and left his father's house in a state of dejection and despair, and was not heard of again until the 31st, when he was found in the streets of Woolwich in a dying state, and removed to the workhouse. According to Mr. Primrose's reply, the pension was granted on the 30th, when the man no longer required it, and on the 1st, the very day Her Majesty was proclaimed Empress of India, this old soldier, who had served her for many years, died in a workhouse. That was the story, and he (Sir Edward Watkin) wanted to know if any one was to blame? No doubt he would be told that this was according to rule—that this was an unfortunate and heart-breaking business — but that everything was done according to regulation. They all recollected how profound was the national sympathy when Her Majesty visited the disabled soldiers in hospital at Netley after the Crimean War, and he know wanted to know whether the right hon. Gentleman would tell this story to the Queen? It was the Queen's Army, and would he lay bare the facts before Her Majesty? If the right hon. Gentleman would not, he

(Sir Edward Watkin) was satisfied that the Strangers in the Gallery would tell the story to the public, so that it would become impossible in time to do a man to death in a military prison by slow starvation. He begged to move the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the facts disclosed in the case of the late Gunner Charlton call for the serious attention of the War Office, both as respects the cruelty inflicted upon the individual soldier, and the delay and uncertainty exhibited in reference to the compensation for his suffering and injuries,"—(*Sir Edward Watkin,*)

—instead thereof.

MR. GATHORNE HARDY said, that if the story which had been told by the hon. Gentleman the Member for Hythe were entire; and if it were not partially true, but the whole truth, then it would no doubt justly demand the attention of the House and the Government. But there had been an extraordinary colouring given to the case which made it seem a very different one from what it really was. The circumstances were briefly these—On the 10th of November, 1874, Gunner Charlton was tried by court-martial at Exeter for insubordination, and was sentenced to 104 days imprisonment with hard labour. He was sent to Millbank, where, on one occasion only, he complained of slight ill-health and was attended to, being taken off shot-drill and put upon lighter work. He remained in Millbank up to March 1, when he was put in charge of a sergeant, with 6*d*., the usual allowance for his breakfast, and sent down to Exeter. He then made no complaint of anything being the matter, but, no doubt his feet had got into a bad state, not from cold, but from other causes, because the warders had complained of the offensive smell from his feet. He had to walk through the snow, as the hon. Member had said, over Hyde Park to the Great Western Railway Station, and, no doubt, had a cold journey; and it was in the course of that journey that the frost laid hold of his feet, which were previously in a bad state, though he did not complain of it. There was no ground for saying that it had arisen from any ill-treatment he experienced on his journey. Being taken to the hospital at Exeter, he was afterwards transferred to the Herbert Hospital, Woolwich, where he remained till November 21 in last year. Now, it was a rule that no man could receive a pension as long as he was in the Service; he must first be discharged before being entitled to a pension. So long, therefore, as he was in hospital, he was in the service and in the pay of the Crown, and could not receive a pension. As to his imprisonment he (Mr. Hardy), when the hon. Member asked the Question, desired the Home Office to make inquiries, and afterwards requested that somebody — Dr. Guy, he believed — should represent the War Office in that inquiry. The whole state of the prison, so far as related to Charlton's case was investigated by two medical gentlemen, and the cell in which he was confined was examined and found to be thoroughly warmed. There were 38 prisoners in similar cells, and all were found to be thoroughly warm, and no complaint on the subject was ever made by any of the prisoners. The bedding also was examined and was found to be sufficient. In fact, there was the most distinct statement made by those who conducted the examination that there was nothing that could affect Charlton's health in the matter of warmth. It should be remarked too that Charlton had ample opportunities of complaining if he wished to do so. With respect to the dietary, that was fixed, not by the Secretary for War or any other person of his own authority, but by medical investigation, as every one knew. He did not mean to say that the dietary for military prisoners might not have been unfit for the man under the circumstances; and upon his (Mr. Hardy's) suggestion some improvement was made with reference to that class of prisoners, and when the matter was brought before the Home Secretary his right hon. Friend thought the dietary so sufficient, that he adopted it for the ordinary prisoners also in Millbank, so that in this case it was not the Military that followed the Civil, but the Civil the Military. Then the hon. Gentleman said, that he (Mr. Hardy) made a promise. He did, he said would fully recommend the case to the Chelsea Commissioners, and he did so. But the Chelsea Commissioners acted under a Warrant which bound them not to assign a pension until the man was discharged. Charlton was discharged on the 21st of November, 1876; on the 29th the Commissioners officially received the recommendation, and they recommended that the Treasury should be asked to approve a pension of 1*s.* a-day. It should be remembered that this man had no claim to a pension, except from his misfortunes; but still he had suffered so severely and so much out of proportion to his offence, that he (Mr. Hardy) thought it a just case to recommend for a pension, which, however, could not be given by the Commissioners alone. On the 4th of December a letter went to the Treasury from the War Office, and on the 30th of December the Treasury informed the War Office, that a pension of a 1*s.* a-day would be granted. On that day Charlton could not be found; he had gone away from his house, but he was found on the following day, the 31st of December, as described, in a dying condition in the streets of Woolwich. Any one who heard the speech of the hon. Gentleman would think from it that the man had been turned out of the hospital uterly denuded of money.

SIR EDWARD WATKIN said, he had not put the case in that way. He had stated that the man was taken to the house of his father, who treated him with the greatest possible care, and that he might have received some small arrears.

MR. GATHORNE HARDY said, the small arrears which the man did receive amounted to £20 2*s.* 8*d.* The man received his accumulated pay—£15 8*s.* 4¼d., £3 14*s.* 4*d.* as compensation for clothing, which he did not draw during the time he was in the hospital, and £1 in advance of his pension. While the man was in the hospital he could not receive a pension, because he was receiving pay, but immediately he left the hospital on the 21st of November, the Commissioners recommended that a pension should be granted, and it was granted, and it would have been given to him if he had lived to receive it. Perhaps it was unfortunate that Charlton should have had so much money, but, at all events, at the end of December the money was all gone and the man was found dead. He (Mr. Hardy) could not blame himself for anything he had done in the matter. He felt as deeply for the unfortunate man's sufferings as the hon. Gentleman himself, and was as innocent of those sufferings as anyone could be. He believed that the man would have had justice done him if he had lived, but, at any rate, it was no public fault that he did not receive the pension.

COLONEL MURE said, that the statement which the right hon. Gentleman had made put a totally different complexion on the case, and he thought that the hon. Member who had brought forward the Motion (Sir Edward Watkin) ought to have informed himself beforehand of what the Secretary for War had done. For a long time the House was under the painful impression that this man had been done to death, but that could not be said of a person who left the hospital with £20 in his pocket, even though he might have been in bad health at the time. At any rate, he could not see that any blame could be imputed to the right hon. Gentleman the Secretary of State for War, and he (Colonel Mure) would suggest that before hon. Gentlemen brought forward painful cases of this sort, it was right that they should inquire into them and avoid giving them any undue colouring.

MR. SULLIVAN, while admitting that the right hon. Gentleman opposite had certainly put the case in a new light, could not see the justice of the rebuke which the hon. and gallant Member (Colonel Mure) had administered to his hon. Friend the Member for Hythe, who had afforded an excellent guarantee of his *bona fides* for his investigation of the matter, and his belief in the wants of the man, by putting his hand in his pocket to relieve him. He did not believe that the hon. Member had concealed a syllable with regard to any feature in the case. He trusted that the House would not be led away by any reactionary feeling on the strength of the 20 sovereigns from a point of great importance which his hon. Friend had brought out—namely, the fact that since Dickens wrote, the Circumlocution Office was still flourishing in the land.

MR. MITCHELL HENRY said, that the discussion ought not to come to an end with the idea that any incorrect statement had been made by the hon. Member for Hythe. He wanted to know how it was possible that this man should have been suffering from disease in the feet unknown to the medical officer. In his opinion, such a circumstance implied, to say the least, a great want of supervision at Millbank. No one could suppose that the right hon. Gentleman opposite had not a tender heart, or that the Commissioners of Chelsea Hospital were wanting in humanity; but this case certainly showed that circumlocution prevailed in the public offices to such an extent as to be entirely destructive of everything like justice to those who were suffering under a grievance. He did not think this was a case to be got rid of by a mere shrug of the shoulders. He felt bound to express his entire sympathy with the sufferings of the soldier, and was afraid it would be found that the course of proceeding taken in the case would tell against recruiting for the Army very greatly.

MR. STEPHEN CAVE supposed the House would expect him to say a word or two in consequence of the attack which had been made on the Commissioners of Chelsea Hospital, of whom he was one. He had at the outset told the hon. Member for Hythe that it was impossible to bring the case before the Commissioners of Chelsea Hospital till the soldier was discharged; but he added that a new Warrant was being framed, and he would endeavour to get it enlarged, so as to bring cases of this kind under the supervision of the Commissioners. He was sorry to say anything against a dead man, but when charges of this kind were made it was necessary to state plain facts. The Commissioners were bound by fixed rules, and they had no power whatever to give this man a pension, for this reason—He had been 13 years in the Army, but he had forfeited time so as to reduce his service to little over 12 years. What was his character? He had been four times tried by court-martial, and his name appeared 16 times in the defaulters' book. Then, the medical evidence showed that the man did not incur this disability in and by the Service. It was, therefore, quite impossible under the old rules to get a farthing of pension for this man. According to the promise he made to the hon. Member for Hythe, he did what he could to get into the new Warrant some regulation enabling the Commissioners of Chelsea Hospital to take into consideration exceptional cases of this kind. The Warrant, of course, took some time to bring out, but it did contain the regulations to which he had referred. The man was discharged, and then his case was taken into consideration. The Commissioners were desirous to put the most liberal construction on the Warrant, and they did as much as could possibly be done in the case. They brought it under the new Warrant as a matter of grace and compassion, and recommended a pension of 1*s.* per day. The rest of the story had been told by the Secretary of State for War. Reference was obliged to be made both to the War Office and to the Treasury; both concurred. The reason why so much delay had occurred was that the man was not discharged. He, unfortunately, died before he could enjoy his pension. He did not in the slightest degree care to question the *bona fides* of the hon. Member for Hythe; but he submitted that there was no justification for his charge of slow murder. It was right and proper that when the money of the public was to be expended that care and caution should be exercised. But if those hon. Members who talked of circumlocution sat, as he did, at the Chelsea Board, they would find that cases which were regulated by fixed rules were decided with the utmost promptitude, while doubtful cases were dealt with as liberally as possible, not only on the ground of humanity of which the Chelsea Commissioners might claim to have at least as much as the hon. Member, but also on the ground of policy. He repeated that he was sure the House would feel that no charge of neglect or inhumanity could be brought either against the War Office or the Commissioners of Chelsea Hospital.

SIR HENRY HAVELOCK said, he had no hesitation in declaring that the facts stated in this case could not have occurred in any military prison. He wished to know whether any steps had been taken to prevent in future the discharge of prisoners from Millbank at 7 o'clock in the morning without food and with only 6*d.* for maintenance during the day, and required to undertake a journey such as this to Exeter in the state this man was proved to have been. That was a great aggravation of his previous sufferings; and he trusted there would be no repetition of such a case as the one under consideration.

MR. MONK called attention to the fact that a warder had stated that the man's feet were in a very bad condition, and asked whether by the rules of the prison it was not his duty to report such a case to the medical officers? Looking at the fact that the man had lost 13lb. in weight during his incarceration, it must have been notorious that he was in a very bad state of health. There must therefore have been neglect on the part of some of the officials of Millbank.

Mr. CAMPBELL BANNERMAN agreed with his hon. Friend (Mr. Monk) that the most important point not altogether cleared up was with reference to the surgeon and the warder of Millbank —why they did not discover before the man was discharged that his feet were in such a state that he could not undertake the journey to Exeter. He thought there was great neglect on the part of those in authority in Millbank, or such a case could not have occurred, and this neglect required further explanation.

Mr. HARDCASTLE observed that while this poor man was discharged from Millbank in an enfeebled and destitute condition, and required to travel to Exeter, he was still a soldier in Her Majesty's Service. It appeared to him there had been a great want of proper attention to this man, and he was surprised that he should have been sent in frosty weather from Millbank to Exeter without a great coat. With reference to the cell in which the deceased had been placed for 48 hours during a severe frost, if the description which had been given of it were correct, there could be no doubt that the arrangements at Millbank were extremely unsatisfactory.

Mr. GATHORNE HARDY said, that the man had again and again an opportunity of seeing the surgeon, but he never complained of the state of his feet, and they were never examined. He had, however, as he (Mr. Hardy) had said, complained of debility, but only once. As to the cell, the committee stated that it was on the upper floor, and one of the warmest in the prison. The dark cell was dry, spacious, and well ventilated. Then with respect to his not having had a great coat, the fact was that the serjeant who accompanied him had taken off his own coat and given it to him to wear on the journey down to Exeter.

Sir EDWARD WATKIN said, the dark cell was below high-water mark of the river.

Question, "That the words proposed to be left out and stand part of the Question," put, and *agreed to.*

ARMY — BRITISH OFFICERS IN FOREIGN SERVICE.

OBSERVATIONS.

Sir GEORGE CAMPBELL, in rising, according to Notice,

> "To call attention to the embarrassments and dangers that may result if officers are allowed to obtain by way of commutation or otherwise the full pecuniary value of retired or half pay, and at the same time to free themselves from the obligations and control attached to those allowances,"

said, it was a very important matter, and one that raised no less a question than this—that individual officers might possibly drag England into a war into which the country did not desire to go. Not far from that House, at the residence of a great Nobleman, a committee had been formed to give pecuniary assistance by subscriptions to the soldiers of Turkey who were collected together for the purposes of a possible or probable war against Russia, and they had also lately seen in the newspapers paragraphs stating that a certain number of British officers had gone to take service, some in the Turkish Army and others in the Turkish Navy. Whether those statements were true or not, they were likely to have a disturbing effect, unless they were officially contradicted; and he asked whether there was not some ground for Russians supposing that Turkey was receiving some assistance from England, and whether that was not an impression calculated to injure the friendly concert between the two countries? He hoped that the Government would be prepared to show that there were means at their command by which British officers might and would be prevented from taking service under a foreign Power. Circumstanced as Turkey was, the danger of the present state of things was illustrated by the case of Admiral Hobart, a British officer who had entered the Turkish Service, contrary to the rules of his own Service, contrary also to the will and wish of the heads of our Admiralty, and with an eventual impunity the reasons for which had yet to be explained. In *The Times* the other day appeared a letter from its correspondent at Pera, in which it was stated that Hobart Pasha was the man who favoured bold and decided measures on all occasions, and suggested that Turkey had a right peremptorily to call on Russia to explain the intention of her armaments; and that if Russia refused Turkey should instantly declare war. It was added that Hobart Pasha had said that he himself would undertake to sweep the Russian Fleet from the Black Sea and to bombard the Russian ports. Those were the threats ascribed to Hobart Pasha. He (Sir George Campbell) had reason to believe that this really was so. When statements of that kind appeared in a great public journal it was surely time for the Government to take some steps in the matter. At the present time Hobart Pasha was drawing retired pay from this country, and might at any moment apply to have it commuted for a capital sum so as to place himself beyond the power of Her Majesty's Government altogether; and there might be other officers similarly situated. He wanted to know, first, whether there was any rule of Her Majesty's Service by which an officer who might choose to commute his entire pay or pension might be prevented from carrying on hostilities against Russia? secondly, what were the means, with regard to the Foreign Enlistment Act, by which ordinary subjects of Her Majesty might be prevented from carrying on such a war? and thirdly, whether in times of excitement it was not possible that the rules of the law might be broken, and if so, how the breaking of that law would be checked? In answer he hoped to hear a declaration from the Government that they intended to put some check on the power of British officers to take service in Turkey or elsewhere and carry on an "unofficial war," to quote Prince Bismarck's phrase, against a Power with which this country was at peace.

ARMY—RECALL OF CAPTAIN BURNABY.

QUESTION. OBSERVATIONS.

MR. GRANT DUFF rose to ask the Secretary of State for War, Whether he could explain the circumstances under which a British officer was recently recalled from Khiva to European Russia by means of a telegram purporting to come from His Royal Highness the Field Marshal Commanding in Chief, which was sent forward by the Russian authorities from Taschkend, where the telegraph ends, to Petro Alexandrovsk, a distance of some 900 miles; whether such telegram was sent at the request of the Russian Government; whether it was to be understood that British officers were forbidden to travel in any part of the dominions of any of our allies; and, whether there was any objection to lay the telegram, if such a telegram was ever sent, upon the Table of the House, together with any communications that might have passed regarding it? The hon. Gentleman said, the facts of the case were stated in a recently-published work, entitled a *Ride to Khiva*, which recorded the experiences of a British officer, Captain Burnaby, who, as a private individual, made, for his own pleasure and at his own expense, a winter journey to that extremely disagreeable place. Among other statements in that work he found one to the effect that the telegram to which he referred had been sent on by the Russian authorities for 900 miles, from Taschkend, the nearest telegraph station; so that it was evident they attached the greatest importance to its reaching the hands of the person for whom it was intended. Of course, the officer obeyed the orders he received, but he naturally desired to see some new country and not to return precisely as he went. To this, however, the Russian authorities would not consent, insisting on his returning upon his old track, so that he should see as little as possible. The book in which these statements were found had passed through many editions, and it had been consequently very much read. That being so, these statements had come under the eyes of a great number of persons, and it was highly desirable that it should be clearly understood and that it should be made impossible for any person to put in this or other countries an unfair interpretation upon it. He wished, first, to know whether His Royal Highness ever sent the telegram at all; next, whether it directed the officer to return to European Russia; and, thirdly, whether it was sent at the request of the Russian Government? He had always been one of those who deprecated any interference, direct or indirect, on the part of this country with the Russian proceedings in Central Asia. He had always believed that the wise and dignified policy for this country was to know everything about what

Russia did in Central Asia, and to do nothing till our interests were in some way or another interfered with, as they would be, for instance, by encroachment on Afghanistan. Nothing could be more mischievous than the constant habit of showing anxiety about the proceedings of Russia in the territory under notice, and the visit of British officers or civilians to the Russian territories in Central Asia, if freely encouraged, seemed to him more likely than anything else to make people in this country understand how completely our interests were left unaffected by anything that Russia had hitherto done in those regions, and also to make them understand where the point was at which the interests of the two countries might begin to clash. If those things were distinctly understood, he did not think they ever would clash. In order to their being understood, it was desirable that British officers, in their private capacity, and civilians, in their private capacity, should travel freely in Central Asia, but not a bit more freely than he wished to see Russian officers travelling through the whole of Her Majesty's dominions in Asia. Unfortunately, that spirit did not seem to prevail in Russia, for even in European Russia at the present day travelling was clogged by the most disagreeable passport formalities, and personal liberty had not advanced in Russia by any means so far as we, who were friends of that Power, could have wished to see it. The Russian Government thought its interests were forwarded by wrapping a great many unimportant things in mystery, and it was as jealous about allowing Englishmen to travel in Central Asia as ever the East India Company had been in its oldest and most jealous day. In later times, as was well-known, the Company had been as liberal as possible in this respect. Well, it seemed from this book that one of the greatest of English officials, the Field Marshal Commanding in Chief, had lent himself to this unwise Russian policy. No doubt the right hon. Gentleman would be able so to explain this matter as to make it clear that His Royal Highness never meant to countenance the absurd pretension that the Russians had any right so to transgress comity and courtesy as to treat a British officer travelling in any part of the dominions of the Czar as if he were a spy. That, however, was the impression which the book left upon the mind, and he hoped and believed, nay, he was sure, the right hon. Gentleman would be glad to remove the impression. We should make the authorities at St. Petersburg understand that we desired they should come and see what we were doing, and, at the same time, that we should be permitted to go and see what they were doing. He believed that if the two Foreign Offices met each other in that spirit of frankness, the chances of our coming into collision were very slight indeed. It only remained for him to say that he had no acquaintance with the officer concerned, that, to his knowledge, he had never seen him, and, so far from sharing the political views expressed in the book, he had repeatedly, and through a long series of years, controverted them in that House and many other places; but the narrow policy of Russia with respect to travelling in Central Asia gave colour to those alarmist views which he so cordially disliked. He simply asked the question upon public grounds, and because he thought it was a matter which ought to be cleared up.

Mr. GATHORNE HARDY: Sir, I will, if the House will permit me, first say a few words with respect to the Question just put to me by the hon. Member for the Elgin Burghs (Mr. Grant Duff). It is true that a telegram was sent to Captain Burnaby, which reached him at Khiva. It was not sent to him at Khiva, because it was sent with a view to prevent him travelling through Central Asia. It was not known, in fact, where it would reach him. There were circumstances at that time which made the Government consider that it was very inexpedient that an English officer, even though going on his own private affairs, should enter Central Asia, and it was thought desirable that he should be stopped, and in consequence a telegram was sent, which reached him at Khiva. The hon. Gentleman himself had shown that at that time the Russians were very anxious that no one should be allowed to go to Khiva. The telegram was not sent by direction of Russia, but sent on the grounds of general policy by direction of the Government, and was transmitted in the name of the Commander-in-Chief. The communications that have passed are of a confidential nature, and I am not in a position to lay the Papers on the Table. So far as the British Government is generally concerned, their desire is that perfect freedom should be given to any one travelling in Russia or any part of the world; but there were circumstances at that time which rendered it expedient that no officer who might be thought to have a mission from the British Government should appear in Central Asia, and that was the reason the telegram of recall was sent to Captain Burnaby. I have just been told, though the hon. Member says to the contrary, that some Russian officers have been prevented from making their way through India into Central Asia, but that is a piece of information which I have not the means of verifying.

MR. GRANT DUFF suggested that that was simply a case in which the Indian Government could not guarantee their safety. In all Her Majesty's dominions there was perfect freedom to Russian officers. Would the right hon. Gentleman, if convenient, give more detailed information as to the statement, and inform the House from what part of Her Majesty's dominions in India, Russian, or any other officers had been excluded?

MR. GATHORNE HARDY: I am not myself aware of the occurrence. As I said, I have only just received the information. The Russians gave certain reasons in regard to Captain Burnaby, one being that they would not be able to protect him if he went into certain districts. I have now answered the Question, as far as I am able to answer it, with the information at my command; and with respect to the point raised by the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell), as I understood him, he says he wishes that officers who have received their money for their services and have left the Army should still be under the restrictions applicable to officers of the Army. Now, that subject was very well considered by my noble Predecessor in office, then Mr. Cardwell, and the Royal Warrant which was issued in 1873, sets out that—

> "Every officer who shall hereafter commute his unattached retired or half pay shall cease to retain his rights and privileges as an Officer in the British Army, except as provided by the Pensions Commutation Act, 1871."

That is to say, after a great deal of consideration by the Department, they came to the conclusion that, just as in the case of an officer who at that time had sold his commission, a man who had commuted his pension should be deemed to have left the Army altogether, and therefore could not be in a position to advance in his Profession either by brevet or any other rank. In fact, he had retired from the Army and become a civilian. That is the law at the present moment, and, as far as I am concerned, I have no intention to alter it. We cannot possibly retain our dominion over officers who have commuted their pay and who have actually retired from the Army. It seems to me that if it were otherwise the position of a man would be intolerable; that the Army would be a Profession from which a man could not retire, or, at least, could not retire in such a way as to have any reward for his services. That which an officer commutes is a pension for past services, and not for any services in the future; and inasmuch as you do not give him any benefits in the future, I do not see how you can retain any hold over his future actions or services. I am not going to follow the hon. Member as to what may be done with respect to civilians—that is a question which hardly comes within the scope of the Army Estimates.

MR. GOSCHEN: I wish to make one observation with regard to the explanation of the right hon. Gentleman opposite as to the recall of Captain Burnaby. I do not say it at all in a hostile spirit to the right hon. Gentleman; but I cannot think that the House will consider that the explanation of the recall of the officer under the circumstances is entirely satisfactory. The right hon. Gentleman has referred somewhat mysteriously to certain circumstances which made it extremely desirable at that time that a British officer should not be travelling in Central Asia. The history of that time was well known, and is, doubtless, in the recollection of hon. Members. We were at profound peace with Russia, and an assurance had been given of the most friendly intentions with regard to the advance in Central Asia. I cannot realize the special circumstances which rendered it desirable that a British officer should not travel in Central Asia, and which induced his recall. I understand that no application was made by the Russian Government for his recall, and I further understand that it was a spontaneous act on the part of Her Majesty's Government. I regret that spontaneous act, and for this reason—what would they think in Central Asia of such a circumstance as a telegram having been sent by the British Commander-in-Chief recalling this officer after he had travelled with incredible courage and endurance and had successfully accomplished the object of his journey? I do not know whether all hon. Members have read the book; but I must say that the Russian Government were most obliging in carrying out the intentions of the British Government, and they facilitated and expedited his return. In fact, it appears to me that Captain Burnaby was very much like being under arrest on his return journey from Khiva to Petro Alexandrovsk. I should have thought that the Government would have been charmed at the opportunity of informing themselves of the state of affairs at Khiva, and a most interesting account is given of what passed at Khiva. Then Captain Burnaby was not permitted to travel to Taschkend, and the Russian Government were perfectly acquainted with the orders sent him by the English Commander-in-Chief. Whence this intimate knowledge, if this was a spontaneous act on the part of the English Government in recalling Captain Burnaby? The matter appears to me to be rather serious, and it is interesting from this point of view, whether Russia wishes Europe to believe she is not anxious for Europeans to travel in Central Asia. I am very glad this step of recall was not committed by the late Government. If we had recalled a British officer under similar circumstances, it would have been said that we had done so at the dictation of Russia, and it would have been followed by the remark that we were in such a hurry to oblige Russia that we recalled an officer so that he should not see what they were doing. A Conservative Government, however, may do many things which may not be done by us when in office, and, therefore, I say no more on that part of the subject. But as regards the action of the Russian Government, that is a far more serious matter. Apart from the particular question of the recall of Captain Burnaby, I trust the Russian Government is not so blind to its own interest, or so little alive to international comity and goodwill, that if such travels be again undertaken by British officers, similar impediments would be imposed. I believe the feeling of the House is, that my hon. Friend (Mr. Grant Duff) has done quite right in bringing this question before the House. There is a note in the book that Major Wood was also prevented from going to Khiva, not at the instance of the British Government, but under other circumstances. I think that, notwithstanding the limitations which fell from the right hon. Gentleman the Secretary of State for War, it may be said that any Russian officer can travel through every nook and corner of this Empire, even through our dominions in India. They are treated with the greatest confidence, and welcomed everywhere in this country; and without wishing to use very strong language, it is a very unhandsome act on the part of Russia to put impediments in the way of a British officer in that vast territory, the territory of an ally. It would be much more so if such a thing should occur again.

Lord ELCHO said, he had to thank his hon. Friend the Member for the Elgin Burghs for having brought the question before the House. If the Notice had not been put upon the Paper, he (Lord Elcho) should have felt it his duty to have put a similar one; but he should have addressed his inquiry with respect to it rather to his hon. Friend the Under Secretary for Foreign Affairs than to his right hon. Friend at the head of the War Department, for rumour said that neither the latter nor the Commander-in-Chief had anything to do with the matter, but that they were made to act through the Foreign Office. The answer of his right hon. Friend did not, he might add, seem to him to be satisfactory. He said Russia had nothing to do with the proceeding to which his attention had been called; but the public were under the impression that the Foreign Office had acted at the instance of Russia, and he therefore thought that even for the sake of Russia, if not of the Government, it was desirable the House should have from the Under Secretary for Foreign Affairs a distinct assurance that such was not the case. But whether it was so or not it was, in his opinion, much to be regretted that the Foreign Office should have interfered to stop the travelling of an English officer in Central Asia, especially as the officers of all nations were allowed to travel through all parts of Her Majesty's Empire.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES AND ARMY SUPPLEMENTARY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

MR. GATHORNE HARDY: Sir, in moving that the total number of men for the Army for the year 1877-8 shall be 133,720, I shall be as brief as possible in the remarks I have to make on these Estimates generally. Last year it was my duty to propose to the House Votes for considerable sums of money for the purpose of carrying into effect the objects which I then had in view; nor do I think the House has any reason to regret the steps which it then took in acceding to what I requested in deference to the arguments which were used in favour of those measures. No doubt that which has been done for the soldier and the non-commissioned officer has had a beneficial effect, as I think I shall be able to show; but I cannot conceal from myself that the Committee might have apprehended that I should on this occasion come before it with still greater demands than last year in connection with that great question still pending—the question of promotion and retirement among the officers of the Army.

Having done what I could to secure justice to the soldier and non-commissioned officer I hope the Committee will not think I am neglectful of the interests of the officers, and through them of the Army, in consequence of the delay which has occurred in bringing before it the question of their promotion and retirement. The measures which were taken by the Commission and the long time which they occupied in making their Report have been commented upon very strongly by many persons outside the Service as well as by the officers themselves. Since that Report has been in my possession, however, I have come to a full knowledge of the difficulties and intricacies of the question, and of the necessity of not taking a single step forward without looking fully into the subject, and guarding oneself against going too far in one direction or another, lest injury might be done to the prospect of individual officers who might be affected by it. The object to be accomplished—a difficult one—so far as the War Office is concerned, is, I believe, near its completion; but there is an amount of work still to be done, the result of which cannot be brought before the House until a later period of the Session, and which may cause further delay. I cannot, however, help, in passing, thanking those at the War Office, and especially the Secretary of the Commission, who, far beyond their ordinary work, have been engaged with me in this business, for their undeviating attention to the subject; and I hope by their further assistance to be able to present such a plan to the House as may eventually effect that object which was promised by my Predecessor—an adequate flow of promotion, securing the additional objects of making the condition of the Army satisfactory and efficient; for I am sure that while promotion is stagnant, and the officers grow old without it, you are keeping the Army in a state which will render it unfit for the purposes it may be called upon to serve. I cannot also help saying that I feel very grateful to the officers of the Army for the patience which they have shown during the long investigation of their rights which has been going on. It cannot be denied that while the Commission was sitting promotion was getting gradually more stagnant, and from the great lapse of time must have been lately more and more felt, because officers have naturally waited to come to a conclusion whether they would retire or not.

Last year the Estimates were, as I have pointed out, considerably increased; but the Committee will observe that there is this year practically no increase. There is rather a diminution, due to a great extent to a change in the form of the Estimates; and this is explained in them so fully, that I feel almost certain I shall give to the Committee less clear statements on the various points than are to be found in the Estimates and in the Papers attached to them, which have been circulated to hon. Members. Last year there were very unusual demands on account of the 1856, or rather 1855, men having completed their 21 years' service, the result of the Crimean War;

and consequently this year there is a sum of £125,000 which comes into the non-Effective Vote, and which adds of course a very serious additional burden. I have, however, endeavoured not to press unduly on the resources of the country; and I am all the more anxious not to do so, because trade, as we all know, is not in the most flourishing condition, and I think that while we are bound to make the Service as efficient as we can, we must also look to the interest of the public, and, if possible, lay no unnecessary charge upon their shoulders. Besides this £125,000 there is a naval demand of £291,343. The Committee will observe on looking at the Paper explaining the variation of numbers that there is a net increase of men this year to the number of 836. That increase is made up partly of a small addition to the Artillery, partly by what may be called a transfer of the Artillery Staff of the Militia, in number to 707, and 87 Staff Officers of Pensioners, neither of which establishments has hitherto been included to the numbers voted; 300 men have also been added to serve at the Cape of Good Hope, but the deductions, on the other hand, will bring the addition really to 836. But, although there is a net increase of men for this year, it is rather a mode of stating the account than a real addition. There is also this year, as hon. Members will perceive, a great change in the mode of stating the Estimates. Last year we had an Estimate from the Treasury of £500,000 for a long arrear, which had been paid into the Treasury for the War Office on behalf of India; but by desire of the Lords of the Treasury, a change is now made in the manner of treating the payments from the Indian Government to meet the recruiting and regular changes for the Forces in India, whereby the amount paid is taken into consideration as a payment in aid of the Army Estimates. A sum of £95,000 is thus added to the gross Army charge which we had not formerly; but that amount is balanced by payments to be made on the part of India which are taken in reduction of the Estimates.

The principal change I have to introduce this year is that which occurs in the Artillery, and that is a change which does not affect the cost very much, but which is made for the benefit of the Service. The reliefs by brigades have been found to be cumbrous and unsatisfactory, rendering a change necessary in that respect; and there are good reasons why batteries should be the unit, instead of brigades, as being more manageable. The brigades will be reduced in number, and the batteries will belong to larger brigades, but they will only be connected with them practically for the purpose of keeping a record of what is done by each battery. As the batteries will be placed in different districts, they will come under the command of the commanding officer of Artillery of the district, and he will carry out the promotion of non-commissioned officers, except one or two of the higher rank, such as the brigade quarter-master-serjeant and serjeant-major. They are not to be promoted in the same way as hitherto, but in the district, and under the commanding officer of the district instead of the brigade. There will, I believe, be few to dispute that considerable advantage will arise from this change. I do not think it necessary to enter now into the matter, although I am ready, if any hon. Member should wish, to go into the subject later in the evening; but at the same time, I would intimate that the newspapers have given very accurate details respecting it. I have brought the Artillery in at this point, because some alterations have been made which may alter the charge for it, although only to a slight degree.

Having mentioned the Indian payments, I ought not to pass by the other payments that are matter of account, and go into the Treasury. There are, for example, the Colonial payments, which amount to £236,650, and, though not appearing at once, are practically a reduction of the Estimates, and ought so to be considered. In pages 124 and 125 of the Estimates will be found a number of smaller items, which represent money saved and paid into the Treasury, and which, with the contributions from Colonial revenues in aid of military expenditure, make up a sum of £603,500, a larger amount under that item than last year. When hon. Members are testing the Estimates they must take into account how much expenditure is met by repayments into the Treasury and otherwise, and which ought fairly to come in relief of the Army Estimates. If hon. Members and if the country saw all these items of Indian, Colonial, and other repayments that cause a virtual reduction of the Estimates, they would have a clearer view of the amount of the expenditure for the Army, and it is a matter for consideration some day whether all these items may not at once be taken into account as reductions, so as to show what is the real expenditure. Such a course will be far better than the existing one, because the country will then understand the real expenditure more easily than they do at the present.

Last year I promised to make inquiry into an item which had puzzled many hon. Members—perhaps, even many generations of hon. Members before them—namely, the "Stock Purse Fund." It was an item brought into the account as payments to the companies of the Guards at the rate of £158 to each company. This year, without my attempting to set it in order, in the sense of making any alteration in the amount of money, I have set it out in the Estimates, according to the items to which it is really applied. In page 16 of the Estimates hon. Members will find opposite the Foot Guards and Royal Engineers the words—"Extra pay to Officers of the Foot Guards and Royal Engineers." The extra pay to the latter is £37,000, and for the Foot Guards, £6,906, making a total in this column of £43,906. In page 17 will be found another item of £8,900, £918 of which is for Regimental Temporary Clerks, which is also from the Stock Purse Fund. The other item is for hospital and prison stoppages. Whether this fund may not require further alteration I will not say; but the items are in the Estimates for the first time attached to the particular persons to whom they are payable, and the Committee therefore can at once see how they are dealt with.

The subject of recruiting is interesting, and I now go back to what was done last year. At that time, the House was good enough on my recommendation to increase the pay of the Army by deferred pay, and to increase the pay of the non-commissioned officers by a ready money payment, and when I come to state a few facts with regard to recruiting, although the Committee may attribute the success of our recruiting to other causes, yet they will be inclined to think that what was done last year has very materially affected it, seeing that last year the recruits amounted to the very large number of 29,370. At the same time do not let hon. Members suppose, as perhaps many of them will, that these recruits were taken away from the Militia, for such is really not the case. The recruiting for the Militia amounted to the number of 38,437 men. That makes close upon 70,000 recruits in 1876 for your Regular Forces and Militia, the most extraordinary number raised since 1858, and larger than the number raised during the Indian Mutiny. I know it will, if it has not already been said that in order to obtain these great numbers we have had to adopt special means, means which plainly indicated that we were at a loss for recruits at a certain period of the year, and I admit that up to the month of June last year the Army was declining in number. In June, however, the public, for the first time, became acquainted with the new terms offered to recruits, and the Army began to increase. That increase was very gradual, amounting in the first month to only 84; but by the time we had got to the end of the year the recruits were coming in at the rate of 800 or 900 a-week, and the Return shows that the increase was not confined to last year. I have not been enable to obtain a Return up to February, but the Return up to the end of January shows that the number of recruits in that month was 4,046, or pretty near 1,000 a-week. It is a very remarkable thing in the circumstances that so large a number of recruits should be obtained, not by continuing pressure as before, because we have been gradually going back to our old conditions; and the result is, that whereas upon no previous occasion has the Army been up to its Establishment—never, I believe, but in almost all instances when the Estimates have been introduced, it has been discounted upon the supposition that it would be 1,000 or 1,300 below the proper number—this year, at the end of January, the Army consisted of 1,857 men above the Establishment. From having had my attention called to the fact, I thereupon took advantage of the occasion to recommend that men should be passed into the Reserve rather more rapidly than had before been possible, because it would have been simple madness to stop recruiting when it was going on so satisfactorily. It was better to keep on with the recruiting and to increase the Reserves, and I hope that is a policy which the Committee will approve. The hon. Member for Hackney (Mr. J. Holms) has called attention to this subject by a Question which I am sorry I was unable to answer. He wishes to have certain information about the height and age of recruits. About 1,400 different Returns have to be consulted in order to obtain the facts he desires to have. It would take a man several days, if he worked for seven hours a-day, and therefore the Return cannot be obtained immediately. I hope, however, to give the hon. Member the information he requires before long, as soon as I can possibly obtain it. I may, however, say that, generally speaking, there are no complaints whatever of the recruits who have come in. I hope hon. Members have seen those who have been recruited in London, because I believe they have been men of a good stamp and character. I have asked whether they have been in any way dissipated men, or men out of work, and have been assured that the majority have been men in work when they enlisted. It has not, therefore, been poverty that has dragged them into the Army, and although we reduced the height of our recruits, yet a comparison of our height of 5ft. 4½in. for the English Army is satisfactory on the whole, and bears a favourable relation to the armies of the other countries of Europe. The age is not upon the whole greater, because although it was for a time increased to 30, yet only an inconsiderable number reached that age, and indeed a very small number over 25 years of age enlisted. The number of desertions still remains rather high; yet, although it is large, it is not excessive in proportion to the number of recruits. If the general annual Return of the British Army is consulted, it will be seen that the majority of desertions occur early after enlistment, and when you have a large number of recruits you may expect a large number of early desertions. A considerable number of men who deserted last year, amounting to 2,063, were recovered, so that deducting these from the number who deserted, 4,878, the net loss on the year was not more than 2,815. I believe it will be found that desertions are peculiarly lively at certain periods of the year, especially at Christmas, and in many of these cases desertion does not appear to be so serious a crime as at other periods. A man, for example, who goes home on furlough at Christmas to see his friends, over-stays his time, and is returned as a deserter. Last January the number of men who deserted was returned at 508, which was a very large proportion, and if it had continued throughout the year it would be alarming. A large number of these men, however, come back and thus considerably reduce the net amount of desertion, and I do not think, looking at the amount of the desertions of last year altogether, it is so exceptional as to call for any remarks additional to those made in former years.

The deferred pay, having been in operation only six months, has not had time to prove whether the fact of having a little money due to them is an inducement to men not to desert. You will find, even under ordinary circumstances, that desertion is not so much in the later period of the service as it is in the earlier part, and when men begin to understand that they are forfeiting that which they have really earned, the deferred pay due to them for services performed, they will be more inclined to discontinue the practice of desertion. It will not be worth a man's while to risk the loss of that by selling his kit for what he can get for it. Further, an unpleasant part of Army management is the expulsion of bad men, and the number is large; but I suppose that no one would wish them to be kept, and, however large the number may be, I hope they will always be expelled from the Army.

This year it is not my intention to ask the House for any grant for Autumn Manœuvres; and there are other reasons besides the economical one. The Army may very well have one year of quiet, and on the whole there is no occasion for Manœuvres this year. More particularly in relation to the question of re-organizing the Artillery, there is need for a quiet time. We called out two Army Corps last year, and a great deal of criticism—and I think not unjust criticism—has been expended on what was done. It has been said there was a want of transport and a great want of artillery, engineers, and so on. When I first mentioned the eight Army Corps I said that it was never intended to fill up those that were low down in the list, but that our aim was simply to have a nucleus to which we might attach engineers or artillery as we might require them. The divisions we are making of artillery will, I hope, enable us to spread it out more freely among the Army Corps than before. I cannot help saying I think that what was done—call it mobilization or what you please—was of the greatest possible benefit; in fact, it had two most distinct benefits. Some hon. Members thought we were guilty of an absurdity in bringing regiments over from Scotland and Ireland; but I believe it did them the greatest possible good. It showed them something of this country, to which many of them were entire strangers; they were well treated and greatly admired, as some of the Scotch and Irish regiments deserved to be, for they were as fine a set of men as could be seen anywhere; they were in good order and little complained of as regarded discipline; and they bore well the fatigue of long marches and other difficulties to which they were subjected. I saw some of them at Aldershot on one of the hottest of mornings, and, although they had undergone great fatigue, they did not lose a moment in setting to work in making things comfortable, and they rivalled the Regulars in the readiness with which they did it. Another great object was served; it had been said our Army Reserve would never appear; the experiment was made, and it did appear in a form which gave the greatest satisfaction. A number of military men who went down to Aldershot to see the Army Reserve were not disappointed, but highly satisfied with them. They saw 3,000 as fine, hardy, and warlike men as could be found, as many as we were entitled to expect under the circumstances, many of whom had been trained in battle, and, wearing their medals, they exhibited the true character of soldiers. I was very much struck with them indeed, and I was glad to find that what I thought was confirmed by the experienced officers to whom I spoke on the subject; and those who were in command highly praised the conduct of the men who had been summoned so suddenly from civil employments and brought into the middle of a camp with all its strictness and discipline. If ever these men are called upon to occupy the ranks in a time of war, this result will be gained—that we shall have the very best old soldiers brought into combination with the youngest recruits. No fault was to be found with them as a body; there was hardly a case in which a Reserve man was brought into any trouble; and there is every reason to be thankful for the promise held out to us. On the 1st of January this year there were 6,062 men of the First Class Reserve, and there are to come this year nominally I think about 5,000—probably it will not be quite so many, as some of the men who will complete their period will be in India or the Colonies; and if, considering all circumstances, we get 3,000, that will be as many as we are entitled to expect. Therefore, the demands upon recruiting this year might seem to be not so large as last, because anybody who will look at the enormous demands made last year, in consequence of the retirement of the 21-years' men, will see that there will not be so many again. In fact the number that left the Army from different causes last year was no less than 26,154—an enormous gap to fill. The Committee will remember that the year before we had only 17,000 recruits, and it will see that if we had not taken some steps last year to meet the increasing demand, we should have been involved in very serious difficulty. But last year we got a net gain of 6,000 by recruiting and returns from desertion, and that accounts for the condition of the Army in January this year. Of the 5,000 men who would naturally go this year, 2,018 are at home, 1,213 in the Colonies, and 2,200 in India, and these figures are the basis of my apprehensions as to the Reserve of this year. That is the reason why, looking at the division, I cannot but apprehend that there will be a loss upon those in the Colonies and in India, so that we may not gain them all for the Reserve. We hope, however, as recruiting goes on, we may in other ways, supply an additional force for the Reserves.

Now I come to a question which is perhaps not altogether appropriate to the Estimates — namely, the Brigade Depôts. These Brigade Depôts are going on rapidly. Forty Brigade Depôts have been formed up to date — four during last year, and another is in course of formation at Warwick. It is hoped that 14 more may be formed in the course of the present year, as many of the new barracks are in a very forward state. This will leave only 15 to be formed after the close of the present year, and the delay in these cases has arisen mainly from difficulties in obtaining sites. This has now been surmounted, except in the case of Downpatrick, where, however, the plans are in progress, and an agreement has been made to purchase the land if a sufficient water supply can be secured. With respect to the northern tactical station, near York, the store depôts are to be on Strensall Common, about six miles from that city, and considerable progress has been made in the purchase of the land. Though it does not affect the present Estimates, I may inform the Committee that the expenditure, up to the 31st of December, 1876, was £1,487,000, and the expenditure anticipated during the present quarter is £323,800; the total liabilities incurred up to the present time being £2,870,000. I am glad to add that, as far as can be seen, the whole sum voted, though required, will not be exceeded. With regard to the Report placed in the hands of hon. Members this morning, respecting the Militia and Brigade Depôts, I may say that, as to all questions affecting the Line, no steps have been taken; but certain things have been done with reference to the Militia. Owing to the regretted illness of His Royal Highness the Commander-in-Chief, many questions affecting the Line could not be gone into. Though some of the Brigade Depôts are not well placed for recruiting, I cannot help thinking they will materially increase the number of recruits.

And now, I wish to say a few words on the subject of education. The House has been good enough to find funds for improving the education at Sandhurst and Woolwich; and those places are now put in a better position than they have occupied before. Sandhurst is just beginning the new system. The men who have passed for the Army go there as cadets without commissions, and at the end of the year, if they pass the military examination, they will obtain a commission. With respect to the schools for the children of soldiers, I have directed that wherever possible the children should be sent to the ordinary public elementary school. It is far better that they should mix with the general population than that they should be treated as an exceptional class. In this way we shall break down that separation from the civil population which is too strongly pronounced in many instances.

With respect to the Militia and the recruiting for it, I wish to go into the matter in some detail, and show what has been done in conformity with the Report I mentioned just now. I may say generally that I have given my approval to the recommendations of that Committee as regards the Militia. Adjutants of Militia will receive their actual travelling expenses, and this, I may remark, is one of the points which has been in dispute. In addition to that they are to receive 2*s.* 6*d.* head money for each recruit. The object of this is to induce them to take an interest, which hitherto they have somewhat lacked, in the work of recruiting. Again, recruiting had been left very much in the hands of the non-commissioned officers, and it had been recommended that the men should be allowed to obtain recruits. This recommendation will be adopted, but at the same time it is intended to compensate the permanent Staff by an enrolment allowance not exceeding 2*s.* 6*d.* for each recruit. This payment, however, is not to be made unless the recruit is really made available. That is to say, it is not to be given in the way the fee is given at present, where, perhaps, the man never appears at all. The men themselves are to receive 10*s.* on enrolment and £1 bounty for each year of their training. There has been a good deal of bickering and dispute about the alteration made from five years to six without any increase of pay, which it is hoped this change will remove. Six years will remain the term of enrolment as at present. Then it is desirable to encourage re-enrolment, because men who have been trained are better and cheaper than recruited men. Moreover, they are old men who do not desert, and we may rely upon them. Perhaps the hon. Member for Hackney will be gratified at learning that the re-enrolment will not interfere with Line recruiting, because the men who are enrolled will have previously shown their preference for the Militia. We propose that a man may enrol for four years, but he must complete his first term before he commences the second. He is to receive £1 10*s.* on re-enrolment, and £1 10*s.* bounty for each year's drill. Henceforward, too, discharges for Army Service will be given on somewhat easier terms than they are at present. Again, it is desirable that better arrangements should be made for musketry instruction. Each battalion is to have its permanent Staff. Before they were to be taken from the Brigade Depôt; but now we have reversed the order. The Militia battalion will have its perfect Staff, and when it is not in training the Militia Staff will be practising at the Brigade Depôt. It is obvious that if the Militia were called into active service, and had not a perfect Staff of its own, great difficulty would arise. There was a proposal made by the Committee, which I think has a good deal of force in it, and which, at all events, I will submit to those now present. It is that Militia officers should be brought under the provisions of the Mutiny Act generally, and not merely at the period of training. This, however, is one of the points which may properly arise on the Mutiny Bill, and therefore I will not dwell upon it further now. There is one question which is a very serious one, and on which I hope I may have the assent of the Committee. The Committee will remember that in order to connect more completely the Militia and the Line, a proposal was made some years back that while the Lords Lieutenant appointed to first commissions it should be in the power of Colonels of Militia regiments to give commissions from the Militia regiments into the Line. They do this on a roster. A large Militia regiment gets, perhaps, two commissions in a-year; other regiments will get one a-year; and others, again, one in two years, according to the number of companies in the Militia. I confess I am not satisfied with the working of that system. The consequence of it is that there grows up a system of promises and engagements in respect to young men which, I think, is very detrimental. Instead of their taking their training entirely in the regiment of Militia for which they are nominated, it constantly happens that they are moved into a regiment simply for the purpose of being nominated to commissions in the Line upon a particular occasion, and when I find that this matter is beginning seriously to attract the notice of so-called Army agents, I think it is time for me to interfere and make a proposition on the subject. I am not going to take away from the Lords Lieutenant the nomination to first commissions in the Militia, nor am I going to take away any commissions in the Line from the Militia. But I propose that those who qualify themselves in the Militia for those commissions should compete for them, not as under the Civil Service Commissioners, but as men do by going to Sandhurst. It seems unfair and unreasonable that a Militia commission should qualify a man for a commission in the Army, whereas other candidates for Army commissions are obliged to go to Sandhurst for a year. I think my proposal will induce young men to train themselves thoroughly in military subjects during these two years, so that they may be able to compete for commissions in the Army. It will, at all events, relieve the system from the suspicion of jobbery. I may say also that the proposed plan will give to regiments of Militia which are well-trained a better opportunity for getting their officers into the Army than they have at present, because now a Militia regiment gives commissions, not according to its goodness, but according to its size.

MR. CAMPBELL - BANNERMAN wished to know whether the candidates for commissions in the Line would be required to go to Sandhurst?

MR. GATHORNE HARDY: No. They do not go to Sandhurst now. The very object I have in view is that these young men should take the Militia as a military training, as it was meant to be, and in connection with the Army. They will have everything to induce them to make it a school; and if they do so, they will put themselves in the same position as those who go to Sandhurst put themselves into by their year's training there. The competition, I may here mention, will be central. I am not prepared to make this change without notice. Many young men are on the verge of being nominated for these commissions, and have got such an interest in them that I should think it unfair and unreasonable to interfere at once with a system which has been sanctioned by my Predecessors in office and by the House of Commons. Therefore, I propose that the new scheme should not come into force until after the end of the year 1878. Thus the next two years' training will be over before we begin the new system. I shall issue Regulations on the subject, and of course the matter will be left open for discussion, if anybody should take exception to what I propose to do.

Mr. CAMPBELL-BANNERMAN: Will the examination in question be open to all sub-lieutenants of Militia, or only to those who are nominated to commissions in the Line?

Mr. GATHORNE HARDY: There will be only this nomination—he must have the recommendation of good character from his commanding officer; but I do not think any young man, if he obtain such recommendation, ought to be excluded.

And now I come to the Volunteers. This year there is an increase of the capitation payment, but it is an increase which, I am sure, will not be grudged by the Committee, seeing that it is solely on account of the greater number of efficient Volunteers. I cannot help alluding to what all hon. Members, who availed themselves of the opportunity of witnessing it, must be aware of—namely, the loyalty and efficiency of the Volunteers who came to London last year. I must say they made a display which was very gratifying to my feelings who sanctioned the Review, and, I am sure, also to the feelings of His Royal Highness the Prince of Wales, who reviewed them.

The subject I wish next to touch upon is one which has been very troublesome ever since I have been in the office I now hold, and which I fear will continue as long as medical men exist. When I came into office I found that steps had been taken for establishing what was called the Staff system of the Medical Service, instead of what was called the regimental system. Changes had been made under a Royal Warrant issued at the suggestion of my Predecessor in 1873, and there was, no doubt, a great deal of discontent and dissatisfaction when I came into office. From the first moment I arrived there I received deputations and was battered by memorials in a way in which, no doubt, all my Successors will be. But I can assure the medical men, whether they be in the Army or outside it, that I have done my best to arrive at a knowledge of their grievances, and, if possible, to meet them. There was, however, a division of opinion among medical men as to the relative benefits of the regimental system and the Staff system; and, moreover, a sort of half-and-half system also existed, though the attempt to combine the two was not satisfactory. That is to say, there was a plan of attaching a man to a regiment for five years; but all kinds of qualifications were introduced which did not put him on the old regimental footing. After looking carefully into the subject, I came to the conclusion—I think rightly—that that which everybody admits to be the proper arrangement and regulation in time of war should also be the regulation and arrangement in time of peace. That is, I accepted the unification system. What was the case on the regimental plan? A small Cavalry regiment might have two medical men, although perhaps the regiment might have no need of a doctor. Consequently the time and the skill of these medical men were wasted. The present system now laid down is one in which there is a real medical school, in the shape of station hospitals, in which there are the best instruments, the best appliances, and, I hope, the best medical men. In addition, there is a training to teach how the hospitals must be managed, in war. It would be impossible to have only a system of regimental hospitals. You must have these general hospitals, and take medical men where they are most wanted for the efficiency of the Service. That is the principle of what is called unification. The health of the Army at home and abroad was very good last year, in spite of—I will not say the doctors—but the arrangement to which they may have objected, and I believe that at this moment the health of the Army is very satisfactory, except upon certain points which sometimes give us painful discussions in this House. That being so, it seems to me unreasonable to call upon me to re-consider the subject, when a re-arrangement was only made on the 12th of last July. There has really been no time for trial, for the men who have just passed their examination will not be attached to the Army before August next. It is only reasonable when a new system has been adopted that you should give it a fair trial, to see, first, whether, under it, medical men will enter the Service in sufficient numbers; secondly, whether it works well in practice; and, lastly, whether any such grievance exists as requires alteration. Until there has been experience on these points, we must go on as we are. Meanwhile, I may say that very great boons have been conferred on medical men. They are promoted three years earlier than they asked for—namely, in 12 instead of in 15 years, because they are put upon the same footing as medical men in the Indian Service; and though I know that medical men, like other men, would wish to remain on full pay as long as possible, some system of retirement is necessary in the interests of the younger men, and with a view to secure a proper scale of promotion, and I do not think that the existing plan of retirement can be complained of by those who benefit by it. I adhere, therefore, to the unification system, and I hope the Committee will adhere to it, till it has undergone a much longer test, because I am told that it is answering well, and it appears satisfactory to the heads of the Department, who are in constant communication with members of the administrative and executive body. Something has been said respecting the employment of civil practitioners. No doubt, in some instances, it is thought advisable to employ civil practitioners, because at stations where there is only a very small detachment it would be absurd to place a military medical man there, and a civilian on the spot often likes to add to his fees and to his experience by such employment as we can give him, in taking charge of a detachment.

As to the Yeomanry, I have nothing to say, and I now come to the question of Supplies, which are this year of an ordinary character. I am sorry to say that prices are still pretty high, though not quite so high as to forage as they were in former years. I have a word to say explanatory of the charge for clothing. In the Supplementary Estimate there is a considerable demand for clothing, for last year a sum of £200,000 was laid out beyond what was taken in the Estimates. In considering the position of the Army, I have always thought it important you should have in store clothing sufficient, at all events, for a *Corps d'Armée* of 30,000 or 36,000 men, and that we should be able to equip them at very short notice. I found our stores were in fairly good order, but with respect to clothing no provision was made for Reserves. Now, there were considerable Reserves to be added this year; and it was also desirable to be in a position to equip at short notice a considerable Force. It so happened that last autumn there was a considerable fall in the price of wool and the time otherwise seemed opportune. I therefore ordered the Director of Clothing to lay in a store for the purpose I had mentioned, so as to be able to provide boots, great coats, and materials of clothing. At the same time, I had not thought it right to use the whole of that £200,000, but there is a reserve of £150,000, and £45,000 will come in aid of the present year's Estimates. The amount taken under this head for 1877-8 is £805,587, against £800,587 for 1876-7. There is thus an increase in the present year of £5,000; but the amount paid into the Exchequer this year from the sale of Militia clothing will be £10,000 more than in the former year, and therefore, practically, the Estimates are £5,000 less arising from the sale of this clothing, which is now the property of the country. The £10,000 thus paid into the Exchequer reduces the Estimates, though it does not appear to do so. The additional number of men this year accounts for £5,000; the biennial issue for the Militia, £35,000; necessaries for the additional number of recruits, £20,000; and improved infantry haversacks, £5,000—total, £65,000. In aid of these somewhat exceptional demands I take £45,000 from the Supplementary Supply we have already got.

As to stores, there is not so much going on this year in guns, because there is not the same necessity; but at the conclusion of 1877-8 we shall have for the armaments of the forts and batteries 102 38-ton guns, 5 35-ton guns, 71 25-ton guns, and 243 18-ton guns. We have lent to India 30,000 Martini-Henry rifles which have to be returned, and at April 1, 1877, we shall have in hand 215,000 Martini-Henry's, and on April 1, 1878, 245,000 in store. All the infantry regiments and the Royal Marines are now armed with this weapon. Arrangements have been completed by which we shall also have 150,000 long bayonets with scabbards for the Martini-Henry rifles. An experiment is going on with Martini-Henry carbines for the cavalry, and if these are approved, we shall have 35,000 of these arms in store by April 1878. With respect to the experiments with the 81-ton gun, the newspapers have given such full details that I need hardly add to them. I may say, however, that the gun has been fired 168 times. Being the first of its species it has been much more hardly used than subsequent guns will be. Every sort of experiment has been tried upon it, and if there had been any failure it would have shown itself; but the gun seems to have succeeded beyond all expectation, and, though there is a slight crack, not the least doubt is felt as to the safety of the old tube, for the flaw does not appear to have expanded in the least. The four guns of this size ordered for the *Inflexible* are nearly completed and will be quite up to the power expected from them.

Respecting the Works I have little to say. As to Knightsbridge Barracks, in the Estimate for which there is an increase, we originally intended to preserve the old officers' quarters, but when they were examined it was found that it would be throwing away money to repair them, and it was decided that they should be taken down, and a change made in the new site. The riding school will be moved to a site next to that upon which the men's barracks and stables are. The future quarters of the officers will be placed where the present riding school is, and thus you will have the whole machinery for training the men close together, and the riding school between the men and the officers. The contract has been taken, and I am glad to know that we can thoroughly rely on the contractor who made the most advantageous offer, Mr. Shaw. In a few days he will be in possession of the site, if he is not already. Having had three votes of this House in favour of the old site I have never changed my mind on the subject, and propose to build the barracks as was originally contemplated. If hon. Members desire to see the plan which is proposed for the officers' quarters, I shall be happy to place it in the Library. I think it is one which will do no discredit to the place, and that it will be quite as æsthetic as many of the houses which are put up in the locality.

I shall be glad to answer any questions which hon. Gentlemen may wish to put. At an early period, I am afraid I shall have to call attention to other subjects, including the great question of promotion and retirement, because that is not a matter which will bear long delay. I am most anxious that it should be pressed forward. With respect to the general subject of the Army, I think the House may be satisfied that though there may be much fault to be found with many things, on the whole, it is an improving Army; it is improving in numbers, and we are getting recruits in a way which I confess I did not anticipate last year. I thought it right at that time to go to expense in order to fill up the deficiencies which I expected, but I did not think that they would come in in such numbers as to bring the Army beyond its establishment. The Committee will be pleased to hear that recruits are coming into the Army in such numbers as I believe will enable us to fill up our Reserves more expeditiously, and when our Reserves are filled then it will be time to deal with the cadres of our Army. But, for the present, we must rely upon our regular forces, because we have not sufficient Reserves, and cannot go into any question of reduction. For my own part, I believe that the Army is contented, that the men see the advantages which the Army gives them, and that they are beginning to appreciate them more fully. I hope that such justice will be dealt out to the officers as will show that they are not forgotten in the re-construction of our Army, and I am sure, from what I know, that neither officers nor men—whether in these piping times of peace, in their ordinary duties, or whether they may be called to serve in the dangers and glories of war—will be found wanting. The right hon. Gentleman concluded with the formal Motion that the Land Forces be composed of 133,720 men.

(1.) Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 133,720, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1877 to the 31st day of March 1878, inclusive."

CAPTAIN O'BEIRNE wished to remind the right hon. Gentleman the Secretary of State for War, that his explanation of his scheme for the promotion and retirement of officers of the Army would not be received with the satisfaction which the right hon. Gentleman evidently anticipated. It was, therefore, most urgent that some time should be definitely fixed when this scheme for retirement might be brought forward for the consideration of the House. The officers who had purchased their commissions still constituted by far the largest majority of the officers of the Army; and it was, therefore, a matter of extreme necessity that these grievances should be settled at once, for it was a fact which had not been sufficiently impressed upon the attention of the House that these officers had been actually performing all the duties appertaining to the different ranks which they held in the Army without receiving a single shilling of remuneration from the State. These officers had, by the Act for the abolition of the Purchase system, been guaranteed the capitalized value of their commissions; whereas the pay they were actually receiving was not—if the taxes and Government charges of every description were deducted—equivalent to 3½ per cent interest for the capital which they had invested in the purchase of their commissions. At the same time, those officers who had entered the Army since the abolition of the Purchase system were receiving exactly the same pay in their respective ranks without having been obliged to invest a shilling in the purchase of their commissions. There was thus an obvious and unfair inequality between the two classes of officers — those who had purchased their commissions under the old system, and those who entered the Army since its abolition. The former had an undoubted grievance, and as he was convinced that the scheme which had just been explained by the right hon. Gentleman the Secretary of State for War would completely fail to satisfy their just expectations, the question of retirement was one which ought to be settled without the delay of a single moment. He could assure the right hon. Gentleman that the question was one of considerable importance. The officers who had purchased their commissions felt that they were not being justly treated in comparison with their brother officers, who had recently entered the Army, and he trusted that the right hon. Gentleman would give his immediate and earnest attention to the matter.

SIR WALTER BARTTELOT said, he thought they might fairly congratulate his right hon. Friend upon the satisfactory statement he had made, and especially with reference to the success he had had in recruiting for the Army. Hon. Gentlemen opposite might make remarks in a different sense, and might say that the standard had been reduced; but it was a great thing in this country that we should have enlisted no fewer than 30,000 men, and, including the Militia, a total of nearly 70,000 in one year. It was said that no man ought to be taken under 20 years of age; but unless we recruited between 17 and 20 we should be far less likely to get the number we required. When we had short service we must take young men, who were likely to be more amenable to discipline, which was a thing of the utmost importance. He wished to know whether he was correct in supposing that his right hon. Friend proposed a reduction in the number of years to be served with the colours, and an increase in the number in the Reserve when the recruiting was in excess of the requirements of the Army? For his own part, he thought it required six years to make a man not only efficient, but thoroughly disciplined, without which he would be of little use to the country. No doubt deferred pay had had something to do with the large increase in recruiting, but more especially the extra pay to non-commissioned officers; but, while congratulating his right hon. Friend upon the result, he was bound also to congratulate the hon. Gentleman opposite (Mr. Campbell-Bannerman), as the representative of Lord Cardwell, who had introduced the present short service system, for if the system worked well, some credit must be given to those who had introduced it. It appeared from a Return which he held in his hand that while 5,501 recruits had entered for long service, 23,869 had entered for short service, which showed that short service was popular. He was glad to hear that his right hon. Friend and those who went down to see the Reserves at Aldershot were pleased with the 3,000 men they saw; but if the Reserves increased we should want to know we had got them, and that they would turn out when occasion required. Every man in the Reserves ought to appear, properly armed, accoutred, and dressed, if it were only for two or three days, that it might be seen that he would be forthcoming and was up to his work. Otherwise, in a case of emergency, if 400 or 500 men were wanted to make up the strength in each regiment, something would occur which could only be likened to what had happened at the time of the Crimean War. As to desertions, all knew how difficult it was to deal with the question. He suggested last year that deserters should be placed under some surveillance; but there was a class of deserters which ought to be dealt with more severely—namely, those who deserted systematically, who sold their kits and passed from one regiment to another. There was another point for which his right hon. Friend deserved great credit. Two or three years ago he brought to his right hon. Friend's notice the question of appointments from the Militia to the Army, and since then his right hon. Friend had been gradually making alterations. It was a most unfair thing that of two men, one who had failed in passing an examination, but had afterwards passed from the Militia into the Line, should be put over the head of a man who went into the Line after a successful examination. He understood that his right hon. Friend now proposed to make the Militiaman pass a military examination, something like the Sandhurst one, before he would be taken into the Line. He (Sir Walter Barttelot) had had several cases of grievance brought to his notice about the two years' expected regimental ante-date. There was some misunderstanding on the point, and a strong feeling existed at Sandhurst in regard to it. The grievance complained of by the Sandhurst men was that they did not get the regimental ante-date which they considered they ought to have, as that was the understanding on which they entered Sandhurst. He was glad to find that now they were to be cadets at Sandhurst, and not sub-lieutenants, and were to remain the two terms. It had been very much against young men going to Woolwich, who were obliged to remain there five terms. Even now, he thought, something should be done for the Woolwich cadets to place them on a more even footing with the cadets at Sandhurst. He would not go further; but he must congratulate his right hon. Friend on having now made Sandhurst into a College which was to be to the rest of the Army that which Woolwich was to the Artillery and Engineers. With regard to that much-vexed question of medical officers, the great grievance was that those officers felt they had no longer the same position they possessed before, being excluded from all the privileges and benefits of the regimental system. They did not say the present unification system, having been commenced, should be altered at once, or that it should not have a fair trial; but they said it would be sure to fail, and would not bring into the Army that class of medical men who were required. This subject deserved to be fairly considered, for it would be a terrible thing for the Army if they did not get proper medical men to enter the Service. One word more and he had done. His right hon. Friend said he did not intend to call out any Army Corps this year. He (Sir Walter Barttelot) did not say he was sorry for it; but he hoped we should in future have one or two Army Corps called out for practice. It was only in that way they could test the general officers who were to be placed at their head—whether they were fit to command. He hoped they would not appoint old men, but young men—men in their prime, such men as would be employed should the necessity arise, and that they would never again employ all those who in time of peace were not able to handle men, for those who could not handle men in time of peace would certainly not be able to handle them in time of war.

Colonel MURE said, he was sure he expressed the general feeling of satisfaction which was felt at the manner in which the right hon. Gentleman had grappled with the difficult subject of recruiting. Two years ago he (Colonel Mure) spoke strongly on that subject. They were obliged to enlist very young recruits, younger than in any other Service. The right hon. Gentleman must therefore look to the Reserve. Notwithstanding the comparative success which had attended recruiting lately, and the fact that the ranks were, as to numbers, complete, he strongly urged that the efforts of our recruiting party should in no way be relaxed; but, on the contrary, while trade was bad every exertion should be made, while keeping up the strength of the colours, to pass men into the Reserve; but, when the Reserve was full, the next thing was to make it an established fact in the country and not a sham. He very much regretted that the right hon. Gentleman had omitted to provide for the calling out of that body. Most of them were called out last year, but there were some 1,400 of the First Class Reserve in the northern district who had never been called out at all. In time of war or pressure we had to trust to our Reserves, and to make the Reserve an established fact, it was necessary that the Reserves should be called out once every three or four years. He did not mean that the same men should be called out every year, but that some portion should be called out in different parts of the country every year—in the south one year, in the north the next, and afterwards in the east and west. In that way they would establish the character of the Reserve in a far more satisfactory manner than at present. He understood the reason the Reserve was not called out was on account of the cost, and that the same reason influenced the right hon. Gentleman in determining not to have any Autumn Manœuvres. Now, he thought that the Report of the Inspector General on Recruiting suggested a means by which a saving might be made, which could be made applicable to the expense of bringing out of the Reserve every year in the way he suggested, and by doing so making that Body highly efficient for all purposes. Sir Lintorn Simmons had stated that our system was a most expensive one, and that our recruits under 21 years of age in the Cavalry cost £236 per man, and those in the Infantry £121. They knew pretty well the class of recruits they got. In London they always got good recruits, better than anywhere else, but in other recruiting districts we enlisted very inferior lads. There was not the remotest doubt there were in the ranks a certain number of men who were not fit to be soldiers, and never would be. He was willing to admit that he now understood the difficulty that existed better than formerly. He could no longer condemn in an almost angry tone Lord Cardwell's scheme. He saw some wisdom in that scheme, and that under the able direction of the right hon. Gentleman opposite, it was gradually assuming a regular pyramidal shape, and the result in time would be admirable. But nevertheless he still must recommend, as he had done on former occasions, that every six months or every year, seeing that they were enlisting a great number of youthful and infirm recruits, a special medical examination and report should be made, and every man found wanting in physical fitness should be dismissed. If we saved the pay of these men we should have money for the purpose of encouraging better recruiting. By the Return of 1874 it appeared that 5,782 men between 18 and 19 years of age were enlisted. A man under the age of 20 years was not fit for service in a hot climate. These recruits we had, in fact, to rear for two years to make them fit for service. Putting the cost of a recruit at £50 a-year, his cost for two years would be £100, and multiplying £100 by 5,782, we found that we had to expend £578,200 to make these 5,782 recruits fit for work He thought some means might be devised by which the expenditure for the rearing of men would be stopped and better and fewer men be enlisted. He had often been inclined to support the Motion of the hon. Member for Carlisle (Sir Wilfrid Lawson) for the reduction of the Army; because he believed that if the Secretary of State for War got rid of the soldiers who were useless—those who could not carry a pack, march the greater part of a day and be able to fight at the end of it—he would effect a great saving in the Estimates, and at the same time add to the real efficiency of the Army. Weakly men in the Army were not merely a passive incubus, but an active evil. For every few men left behind in the course of a day's march, a strong man had to be left behind to take care of them. In the Cavalry if it was reported to the commander that a horse was so weak that it could not keep up with the troop, the commander gave an order that its throat should be cut and that the saddle should be cut up; but if a man in the Infantry was too weak to march you could not give an order to cut his throat and cut up his clothes. He highly approved of the re-organization scheme, by which greater solidarity would be created between the Army and the Militia, and would support the right hon. Gentleman in carrying it out in almost all its details. As to desertion, he did not think the amount was so serious as it at first sight appeared to be; but undoubtedly among a certain class it had become a permanent system of fraud, and every effort should be made to put it down. In a very large proportion of cases, it was undoubtedly more a civil, than a military offence, or a system of fraud practised on the Army by a low class of designing scoundrels. He was afraid, however, there was no cure for it, for so long as they enlisted men so young—mere lads—and were too anxious to get up the numbers of the Army, at the expense of efficiency, there would most certainly be desertions. It had been suggested that deserters should be branded with the letter "D;" but he did not believe that we could revert to the system of branding any more than to the Corn Laws. It had also been suggested that every private, every non-commissioned officer, every officer, and the Commander-in-Chief himself ought to be marked with a mark like a flock of sheep to show that they belonged to the British Army. This proposal was really too ludicrous. Suppose a general officer were bathing in a Continental river and his mark were seen, foreigners would most certainly set him down at once as a deserter. Such a plan might have the effect of checking desertion; but, on other and obvious grounds, it was utterly inadmissible. Considering the youth of a vast number of our recruits, the class from which many of them were taken, and the temptations to which they were exposed, it was not to be wondered at that many of them should desert; and it was important, therefore, that every effort should be made to keep them out of the way of temptation. He thought, however, a severer punishment should be inflicted upon those who purchased clothes from deserters, who, in general, were receivers of stolen goods, and were in league with the fraudulent enlisters and deserters. In conclusion, he regretted having written and spoken strong words at a time when he did not thoroughly understand and appreciate the scope and bearing of Lord Cardwell's scheme, and he was afraid that when he first came into Parliament he might have appeared to entertain a kind of feeling of bitterness in the matter; but if ever he had so appeared, he had no hesitation in saying now that he believed that there had been much wisdom shown in drawing up that scheme; and he also believed that there was much wisdom in the patient manner in which the right hon. Gentleman opposite (Mr. Hardy) was trying—and, he maintained, was succeeding—in bringing that scheme to a successful issue—to an issue which would tend to advance the greatness of this country in future years.

General Sir GEORGE BALFOUR said, he must congratulate the right hon. Gentleman the Secretary of State for War upon the change which he intended to effect in the mode of distributing the Artillery. That change was highly creditable to him. At the same time, what was now proposed of reducing the brigades from 29 to 15 was only a half measure—one of those compromises which he (Sir George Balfour) could well make allowance for, when he remembered the difficulty the right hon. Gentleman must have had in overcoming the prejudices existing on the subject of working artillery in brigades of 8 or 10 batteries in the way a battalion of infantry of 8 or 10 companies was worked. He earnestly hoped that in a short time an entire change would be made with regard to the abolition of the whole of the brigades. No doubt the question of distributing Artillery was one which might appear to present a great difficulty; but he held that, wherever batteries were required, there they ought to be stationed, totally irrespective of the head-quarters of the brigades. If the system in its present form of keeping batteries within the range of the brigade head-quarters was abolished, the Service would be rendered much more efficient, because the commanding officers and Staff for each local command might then be strengthened by using the officers now attached to brigade head-quarters; a large amount of unnecessary expenditure would then be avoided, particularly as far as India was concerned. With respect to depôts, he thought that an unnecessarily large number of them was now maintained. There were 15 depôt batteries, including the riding establishment, with 72 officers, and only 2,380 gunners and drivers. These were all formed on the model of ordnance batteries, whereas training depôts needed special officers—carefully selected non-commissioned officers, qualified to instruct. Next, instead of the present number of gunners, nearly double the establishment would not supply the ranks of the regular batteries; and a mistake had been committed in placing the depôt batteries with the head-quarters of the brigades. The depôts ought to be in an independent position, and should be entirely distinct from the brigade head-quarters; and he thought that the system of dispersing head-quarters of brigades to Ireland and Scotland and different parts of England still required reform. Another point in regard to which he desired explanation, was with reference to the intervention of the Treasury, between the War Office and the India Office as to the cost of the Home establishments for keeping up the strength of the Indian Army. The operation of the present system was to render the statement of the accounts, not alone of the War Office, but of the Treasury and India Office, very obscure; he saw no reason why the system in force from 1824 up to 1860 should not be reverted to: under which the War Office and the Department in charge of India were allowed to settle their own accounts in reference to the cost of the Indian Army. Those charges were all carefully inquired into by a fixed Committee of all Departments, and the balances due to or from India were at once paid. Up to 1854 the arrangements were successful. The war with Russia and the Indian Mutiny threw affairs into disorder, owing mainly to the inefficient state of the War Office. Next, from 1861 to 1870 a new system of paying lump sums, based on the calculated number of men in India, was tried. It was worked so badly by the Horse Guards failing to keep the numbers up to the establishment fixed for service in India, that a species of payments which might have been most profitable to the War Office was reported to have been a losing concern. Since 1870 they had had nothing but confusion. Money paid by India was handed over to the Treasury, and instead of using it to pay the War Office for their expenses, it was included as income with Finance Accounts. He (Sir George Balfour) had made repeated efforts to get at the accounts, but had been opposed and thwarted in every possible way. He took exception also to the way in which the Estimates were this year put forward, so as to make it appear that there was a decrease in the estimated expenditure when there was actually a large increase of expenditure. He condemned the right hon. Gentleman's method of new and large deductions from No. 1 Vote and from non-Effective Charges as a novel practice which had never before been resorted to. The Treasury had no right to order changes in the mode of representing the expenditure of the country which caused confusion, as now in the War Office Estimates there were also other alterations which deprived Members of the power of contrasting the charges of present years with those of former years. He agreed with the right hon. Gentleman in thinking that the Report of a War Office Committee issued that morning, and to which reference had been made, was a valuable document; but he regretted that it did not deal more fully with the question of the Militia. There was one novel part of the present system which he could not rightly understand, that of separating the Militia Reserve, and that was how this difference between the Militia and the Militia Reserve affected the strength and establishments and number of officers and companies of the Militia. That was a point which he hoped the right hon. Gentleman would clear up. The Militia was a force which ought either to be rendered more efficient or, as suggested by the hon. Member for Hackney (Mr. J. Holms), abolished altogether. In order to promote this efficiency there were many things to be done, and among these perhaps the most important was to revise the quota the several counties should be required to contribute to the Force. It was now upwards of a quarter of a century since the quotas of counties were fixed. And taking into consideration the great increase which had taken place in the population, he believed we could now as easily raise 200,000 men as we could 130,000 some 25 years ago. He considered the present system of organizing the Militia as a General National Force to be very defective; the principle on which the Militia was re-formed in the middle of last century was purely local, not in counties, but in sub-lieutenancy divisions. No man was taken from his home for drill or exercise more than five miles, and every company was exercised monthly. In this form a Militia would be popular, and might be largely increased. He could not help complaining that the lieutenancy sub-divisions of the country remained as they were 30 years ago. In reality these had not been changed since the beginning of this century. He trusted the right hon. Gentleman would so alter them as to render them more efficient. The Return he had obtained of the divisions and population of the country was moved for in order to enable the Government to re-arrange the divisions for calling out the Militia. He congratulated the right hon. Gentleman on the results of the recruiting for the past year. To have obtained 70,000 men for the Army and Militia under a system of voluntary enlistment was extremely creditable to the right hon. Gentleman, and was in all respects satisfactory. It was a result he (Sir George Balfour) was not prepared to expect; and he hoped that it arose from the increasing popularity of the Army, and not from any falling off in the trade of the country. He was pleased to hear that a large stock of cloth had been laid in in excess of the current wants of the year, to be kept available for eventualities. He only hoped the right hon. Gentleman would not be tempted to use up the reserve stores for the purpose of saving expense. They had witnessed the ill-effects of such a proceeding in former years. To guard against this great temptation to economise money by using up this reserve, this House ought to be furnished with a statement of the quantities of the reserves in store in each year, so as to show that the stock used up was annually replenished.

General SHUTE said, he was glad to find that his right hon. Friend had solved a most difficult question, and that with little or no increase of the Army Estimates he had been able to obtain the necessary number of recruits to meet the increased requirements consequent on short service. He desired, in the first place, to ask his right hon. Friend whether he was correct in his belief that there was to be a reduction of one subaltern officer in every Cavalry regiment? He was quite aware that since his right hon. Friend had done away with the absurd system of having a subaltern officer first with his regiment and then at school, they had not been so short of such officers, but the establishment of subaltern officers was not what it ought to be. There was not, in fact, a sufficient number of subaltern officers in a Cavalry regiment to carry out efficiently the ordinary duties of an orderly officer, and his right hon. Friend, if he were to witness an ordinary Cavalry field day, would see that two-thirds of the posts which ought to be occupied by subaltern officers were occupied by non-commissioned officers. When he first joined a regiment in India the case was very different. Then they had two lieutenants and a cornet to each troop, and only just a sufficient number of officers to do duty after deducting the casualties resulting from service in a tropical climate; and when not long ago he commanded a regiment which was sent suddenly to India, they had but one lieutenant and a cornet to each troop, and within three months of that regiment arriving in India it was short of subaltern officers. As Adjutant General of Cavalry in the Crimea he had the states of the Cavalry regiments from Inkermann to the end of the war, and throughout those states they would find an extraordinary paucity of subordinate officers. One reason for that paucity was, that more was taken out of them than out of their superior officers, in consequence of the greater exposure to which they were subjected. Then, as to a Reserve, they had, in point of fact, no Cavalry Reserve. It was impossible to find or buy ready-made Cavalry soldiers—horses you might always buy on an emergency, and break them more quickly than was generally supposed. No Army Corps was complete, unless all its arms—its Artillery and Cavalry—were complete. He most certainly affirmed that they were short of Cavalry. They had nominally, but only nominally, nine of our 18 Cavalry regiments now in England raised to a strength fit to take the field, but in truth they could only mount about 320 horses each—three, therefore, instead of four squadrons; and what he would venture to suggest with a view to the securing a Reserve was the one made by him when he followed His Royal Highness the Duke of Cambridge in the Chair at the Royal United Service Institution —that a ninth Troop should be formed for each of these nine advanced regiments, and that both in peace and war it should form the depôt for the four Service Squadrons, which should thus be always ready to march at the shortest notice, all the bandsmen, artificers, drill serjeants, rough riders, recruits, young horses, &c., being attached to this ninth Troop, with a proportion of the oldest soldiers first for discharge to break the young horses, and from this reserved Troop young soldiers and young horses should be drafted into the Service Troops as they become fit for the field. It might be called the Reserve Troop, and in case of war it would form a depôt from which young soldiers and broken-in horses could be drafted into the other troops as occasion required, and the bandsmen and artificers should be enrolled in it. An important change had been made by the five years' system of command now introduced into regiments. Our regimental system had received many severe blows; but, with the exception of the Abolition of Purchase, it had never received so severe a blow as this. A colonel's influence and power in a regiment would be seriously reduced. An officer brought up in a regiment could command it with much greater facility than a stranger. It would take a colonel coming fresh into a regiment three years to know all its peculiarities, and he would be removed from his regiment just when he became fitted to command it. It would be found that our best regiments, and this applied especially to the Cavalry, were those which had been longest under the command of one colonel. The Army was already very jealous of the principle of selection and was already too apt to attribute promotion to personal feeling or political jobbery. For himself, he disliked the principle, and was unable to understand the manner in which it was carried out. The five years' system had been in force in Staff appointments for a considerable time. It had been adopted because it was thought desirable that the Secretary of State should have at hand a great number of officers who had practical Staff experience. It was also thought it would enable the prizes of the Profession to be more equally distributed, but this system, as regarded the Staff, had never been carried out in its integrity; why, then, was it sought to introduce it into our regimental organization? Many inconveniences would, however, arise from the system, not the least important of which would be that the half-pay list would be seriously increased. It might be urged that the flow of promotion would be increased. No doubt, it would; but it was a mere drop in the ocean, and the effect of this increased development of selection, instead of purchase or seniority, with power of rejection, would be to turn the officers of the Army into mere sycophants—instead of the independent gentlemen who used to command regiments—who would be always running after their county or borough Members, or some War Office official, in order to secure promotion. He regretted that the Autumn Manœuvres were this year to be abandoned, believing that the assembly of the Army Corps last year was an admirable and useful experiment. They were put under the command of the only General officer who had ever commanded an Army in the field, and although complaints had been made in that House of Sir William Codrington's age, a more fit and active officer could not have been found. He trusted the troops would be practised in minor tactics, and wished the War Office would give regiments and brigades better facilities for practising out-post duty and reconnaissances. At Brighton the Cavalry regiment had a small and most miserable drill ground for practice and others were just as badly off. He thought it would be well, therefore, to secure proper ground in the neighbourhood of each barrack, on which to drill the men in minor strategical operations. Something ought to be done for the veterinary surgeons, but he was sorry to hear that the medical officers were not satisfied. A great deal had been done for them, and he thought they might be contented for the present. He could not sit down without again congratulating the right hon. Gentleman on the success which had attended his recruiting.

DR. LUSH regretted that he could not join in the chorus of approval which had greeted the statements of the Secretary of State. He had hoped that some attempts would have been made to redress the well-founded grievances of the medical officers of the Army. He was dissatisfied at the attitude of hostility which the right hon. Gentleman had taken up with regard to them. The right hon. Gentleman appeared to regard them as the greatest trouble of his existence, and he spoke despondingly of their having been a bane to him when he took office, and of his expectation that they would remain so till he left. The remedy for that state of things was to remove the grievances of which the medical officers complained. He would remind the right hon. Gentleman that the medical officers of the Navy were a few years ago just as discontented, but their grievances were redressed, and nothing had been heard of them since; and if the right hon. Gentleman would only take example from the Admiralty, and treat medical officers of the Army with the same consideration, there would no longer be any difficulty in getting highly-qualified men to join the service, and he (Dr. Lush) would promise him that his office should be a bed of roses as far as those gentlemen were concerned. The College of Surgeons in Ireland had passed a resolution in open council advising their students not to enter into Her Majesty's Service, on the ground that the position of medical officers in the Army was such that they were practically outlawed. It was a startling fact that while the number of recruits had largely increased during the past year, the number of medical officers had diminished by 25. If that decrease in the number of medical men were to go on year by year it would be impossible for us to keep our Army in an efficient condition. On a future occasion he should be prepared to show that the medical officers had real grievances which ought to be redressed.

Sir RICHARD GILPIN congratulated the right hon. Gentleman on the number of recruits obtained during the year, notwithstanding that the increase in their number might be easily accounted for by the lowering of the standard for height and by the increase in the pay. He thought that the Report of the Committee which had been referred to by the right hon. Gentleman ought to have been issued earlier; and with regard to the granting of nominations and commissions in the Army to officers of the Militia, he might observe that the proposal required some explanation. There had been several changes already, and he wanted to know why the right hon. Gentleman had introduced another? The original plan had been adopted in consequence of the difficulty that had been experienced in obtaining officers for the Militia. Lord Cardwell had proposed upon the point that commanding officers should have the power of nominating Militia officers for Army commissions after they had undergone two trainings and passing an examination, and he had subsequently added an education test, and the right hon. Gentleman now proposed to substitute a still more stringent examination for that proposed by Lord Cardwell. He had understood the right hon. Gentleman to say that there was something like jobbery between the commanding officers of Militia and Army agents with reference to these nominations; but he must say that this was the first time he had ever heard such a charge brought against the former.

Mr. GATHORNE HARDY explained that what he had said was, not that the colonels had interfered, but that he understood that the so-called Army agents had a good deal to say to these matters, and he thought that it was not right that such should be the case.

Sir RICHARD GILPIN observed that, as an officer commanding a Militia regiment, he had no knowledge that anything improper had occurred in reference to the nominations. He had always declined any such applications, and all he could say was that if any such conduct was brought home to a commanding officer, the sooner he was dismissed the Service the better.

Sir HENRY HAVELOCK expressed his great regret that a question which had so long agitated the minds of officers in the Army—the Promotion and Retirement scheme—had received such small and such curt notice from the right hon. Gentleman; although he (Sir Henry Havelock) must, at the same time, admit that there were obstacles in the way of carrying out such a scheme successfully. He trusted, however, that before many weeks elapsed the right hon. Gentleman would make such a statement as would set the minds of officers at rest upon this point. It would be very satisfactory if the right hon. Gentleman would give the Committee some assurance that the suggestion of the Commission in their Report, that captains of 25 years' standing should be placed upon the Retired

List, would not be adopted; because it was very hard upon officers who had been unfortunate enough in their early days to be purchased over should be ejected from the Army at an age when they were unfitted to follow any other pursuit. Leaving that point, he would ask, how had the right hon. Gentleman obtained his recruits? The Reports of the Inspector General of Recruiting bore out the view that the right hon. Gentleman had obtained them by sacrificing the standard of age, of height, and of what went to constitute a man. Had the right hon. Gentleman got effective soldiers by his standard? On the contrary. Almost the universal opinion of the commanding officers at Aldershot during the last year was very different. They said—"In the last year we had a certain number of boys, now we have in their place a certain number of children." If that was the result the right hon. Gentleman would have little to congratulate himself upon. He understood that in the Aldershot division 35 per cent were under 19 years of nominal age, which, therefore, meant 17 years of actual age. And the recruits had only been obtained by lowering the standard to 5 feet 4½ inches in height and 32 inches round the chest. And this in time of profound peace, when trade was slack, and after voting £180,000 a-year ago for increased pay to the Army. He earnestly hoped that the right hon. Gentleman, having got the numerical strength of the Army raised on paper, would deem it high time that the standard should be raised, so as to ensure that every man should be physically and otherwise an efficient soldier. Their race was tall, and broad in proportion, and therefore it was nothing to be told that the men were only equal to Continental soldiers. With regard to the Royal Artillery, he was glad that the right hon. Gentleman had introduced the system of districts, and he heartily congratulated him upon the moral courage which he had shown in carrying out the changes which he had laid before the Committee. He trusted that the change made in the organization of the Artillery was a step in the direction so effectively taken on the Continent, and that at no distant date they would see some approach made towards providing 720 guns for eight Army Corps, whereas only one-half of that number were at present in existence. He hoped it would answer the expectations of the right hon. Gentleman, and he would advise him to go farther in the direction of reform, and to institute skeleton batteries, to be filled up from the Militia. He also hoped the right hon. Gentleman would never countenance the belief that, except for the reinforcement of our troops in India, or except for any emergency which might arise in America, less than two entire Army Corps, complete in every detail, should go out from this country as an expeditionary force. But whilst he was glad to see that something was being done in the direction of the Artillery, he regretted that the Cavalry appeared to have entirely escaped the right hon. Gentleman's observation. Great changes had of late occurred in the use of Cavalry, in consequence of the invention of arms of precision, long range, and other causes, and it was essential that that arm of the Service should be as efficient as was possible. Yet, if we were called upon to enter the field of a sudden, the whole Home Force we could command would be only some 3,500 sabres, a state of things which was, to say the least of it, unsatisfactory. As far as the Cavalry was concerned we had, in fact, no reserve, either of men or horses. These were points in which we were entirely deficient, and in the present year's Estimates no attempt was made to improve them. That matter was one of urgency, and he trusted that another year would not be allowed to pass without its receiving proper attention, and what he trusted the right hon. Gentleman would do was that he would follow his own initiative in the matter. We had on the Home establishment some eight regiments at a strength of only 379 horses, and 10 other regiments at a strength of only 317 horses. Arrangements might be made by which, without increasing the Estimates, our first line of Cavalry might be rendered effective and fit to take the field. Passing from that, he thought it was wise that the Reserves were not to be called out this year. Last year they reflected great credit on themselves, so much so that they might well be left at home for a time. He would now venture, with all respect, to call the right hon. Gentleman's attention to the administrative departments of the Service—namely, the Transport, the Commissariat, and the Paymaster's departments, as nothing could be more deplorable than the state of those three branches. The complaints which he had heard were such as called for immediate and urgent attention, and he hoped the right hon. Gentleman would at once appoint a Committee of officers to inquire into the details, and that before the end of the Session those departments would be put on a far better footing than they were now in. The only other point he would touch upon referred to compulsory service. Some said we would have to go back to that systom, but he thought there were very few in this country who would seriously advocate it. He maintained that no other country save England could produce 67,000 men by voluntary enlistment as we had done in the past year, and that alone was a proof of the soundness of our present policy. With administrative reform he believed that our Army might be placed on a satisfactory footing within the limits of the present Estimate.

EARL PERCY shared the regret which had been expressed, that the Report of the Committee upon the Militia and Brigade Depôts had not been presented sufficiently early to enable the House to consider it before the Army Estimates were proposed. He trusted that the subjects dealt with in that Report would not be allowed to rest, but would yet undergo full discussion in Parliament, and that hon. Members with special knowledge would ask the opinion of the House on some of its recommendations. He thought the increase on the bounty paid to men joining the Militia would produced a very good effect. Nothing could have been more prejudicial to the Service than the alteration made by Lord Cardwell, both as to the term of service and the amount of bounty; but he was doubtful whether any mere increase in the bounty would of itself bring the Militia Force up to what it ought to be. There was a great evil connected with this question of bounty—namely, that besides the difficuly of getting men to enrol, when they did enrol, they often did not come up to the training. This evil was noticeable in all Militia regiments, but in some much more than in others, and he was sorry there was no proposal made by the right hon. Gentleman to remedy it. Encouraging the Militiamen to bring others to the ranks was good so far as it went, but probably would not have much effect. His own opinion was, that, as a rule, it would be more successful to engage non-commissioned officers to do the work. As to the musketry instruction given to the men, it seemed to him the time spent on it was to a great extent wasted, for it was impossible in the brief time at the disposal of the commanding officer to make that instruction at all satisfactory. With regard to the instruction of the non-commissioned officers, he understood the Report he had already quoted to recommend that, before a man got his stripes, he should go to a school of instruction; but, probably not one man out of a hundred would be found able and willing to do that. He was aware there were deficiencies at present in their instruction, but he did not think this was the way to remedy them. As to the nomination of officers by colonels of Militia regiments for admission into the Line, he, for his part, had never had any great liking for the system. It seemed to him to be hard upon those who sought admission to the Line in other ways, and as the Militia subalterns left for the Line whenever they had got some experience, it sometimes happened there were no officers to fall back upon for the command of the company. If he understood rightly, the right hon. Gentleman said that, while in most cases, no exception could be taken, in some the colonels of Militia had acted improperly in those nominations, and in particular transferred officers from one regiment to another with a view to rapid nomination. No such case had come under his personal notice. In his own regiment, during the short period he had been in command, he had generally endeavoured, in accordance with what he took to be the spirit of the Regulations, to confine the nominations to officers connected with the county. At the same time he did not mean to say that he had not made exceptions to this rule. But the Government now proposed to abolish the pass examination, and introduce a competitive examination on military subjects in its place. He thought that would do away with the whole benefit of Lord Cardwell's proposal, and would deprive gentlemen who joined the Militia, for the purpose of entering the Line, of the advantages which they now obtained. In conclusion, he must repeat the expression of his satisfaction at the proposal of the right hon. Gentleman as to increasing the bounty in connection with re-enrolment in the Militia.

Captain NOLAN called attention to the small amount of the Reserve Force of the British Army as compared with that of other European Armies. Many people held that this country could not have a Reserve equal to that of foreign nations; but our system of Reserve was different from that of foreign nations, and if foreign nations were to try it, they would find it would not answer. The Germans had an Army of 400,000 men under arms, and a Reserve Force amounting to 500,000. He would not speak of the Russian Reserve Force, because, in the first instance, when they were called out the system broke down; but the fault was not attributable to the War Office, but to the short time the Reserve had been on trial. He thought this country ought to take a hint from European nations, and establish a large Reserve Force, and we ought to put it in order years before we were likely to call upon it. It was a mistake to sappose that great Reserves could only be kept up under a system of conscription. The question of Reserves he maintained to be simply a question of short service, and in that respect was generally popular. If the Secretary of State for War refused to allow men to purchase out without going into the Reserve, he would add 2,000 men a-year to that Force. He gave th right hon. Gentleman great credit for the large number of recruits he had been able to announce. Deferred pay would, he thought, prove a powerful and increasing inducement to enlist in future years; but there could be no doubt that at present, to some extent, the increase was due to the depression of trade. The right hon. Gentleman, he believed, had somewhat raised the standard for recruits; but he (Captain Nolan) thought it was sufficient. In the Peninsular War we recruited down to 5 feet 4 inches, and the men fought very well. He did not see why they should aim at keeping the standard above a point which Continental Armies did not seek to exceed. Drawing experience from them, it was, he thought, also a great mistake to go on enlisting very young men. As to the Reserve, if he wished to have a large Reserve, and we ought not, in his opinion, to be content with less than 100,000 men, we should probably have ultimately to fall back upon increased pay. In the Royal Artillery very great changes had no doubt been introduced, and they were changes which, on the whole, he believed, would turn out to be beneficial. It was a mistake, however, to suppose that a great localization of Artillery had been effected by the new scheme. It was, indeed, very far short of the localization which was attempted abroad, and although we probably required less of it than foreign nations, because we had a better railway system, yet he should be glad to see it, inasmuch as he looked upon it as being very valuable, more extensively introduced. The new scheme had, however, produced, in his opinion, one evil, and that was that it very seriously affected the interests of the non-commissioned officers by abolishing more than one-half of the best-paid appointments for that class of men. He hoped, therefore, some arrangement would be made by which they would be compensated for the serious blow which was thus struck at their prospects.

Colonel ALEXANDER thought that the Report of the Inspector General of Recruiting and the statements of his right hon. Friend the Secretary for War satisfactorily disproved many rash assertions which had been made in respect to the condition of the Army. With respect to them then, he wished to point out that while *The Times* took a very rose-coloured view of the affairs of the Army, the Service newspapers asserted that the Army was rotten to the core. For instance, *The Army and Navy Gazette* said—

> "No Army can be relied on with confidence, of which the Commissariat, the Transport, and the Medical Departments are in a state of suppressed revolt." ["Order!"]

The CHAIRMAN said the hon. and gallant Member was scarcely in Order in bringing a newspaper into the House to read from, although it was customary to make use of extracts.

Colonel ALEXANDER said, he had read the extract, not from the newspaper itself, but from his own notes. He proceeded to observe that what *The Times* really meant was, not that our Army was in a state of absolute efficiency, but that it was relatively so. It was, however, impossible to contradict the Report of the Inspector General, that the recruiting in 1876 as compared with the previous year had been highly satisfactory. The course pursued by the Secretary for

War, both in filling up the ranks of the Guards, and with respect to the rest of the Army, had been, in his judgment, eminently successful. The Report of the Inspector General last year proved that the Guards were exceptionally large in point of number. In other branches of the Service the result was equally satisfactory. The Reports of General Whitmore showed that in every respect the condition of the soldier was much improved, and that the advantages arising from the deferred pay was beginning to be felt and appreciated. From his (Colonel Alexander's) own experience he could also say that the soldiers were already beginning to appreciate the advantages of deferred pay, and as the system became better known its benefits would be increasingly manifested. The Army, he felt sure, would never forget what the right hon. Gentleman did last year to improve the condition of the non-commissioned officers, who were the back-bone of the Services. Several hon. Members had complained that recruits were taken at too young an age, but the same critics last year said the men were too old. They forgot that youth was an evil which daily cured itself, and that if these young men were taken care of and fed well, they would soon develop into most excellent soldiers. They must not, at all events, during their first year's service drill them with their valises in such tropical weather as we had last year. Some remarks had been made on the diminished stature of the Army. Now, he thought our standard could fully compare with that of Continental nations, and, after all, the best standard was not height, but good chest measurement. The hon. Member for Hackney (Mr. J. Holms) complained that ours was a celibate Army. But why should all our young men marry before they were 25 years old? How many hon. Members of that House had married before they were 25? In his opinion, the fewer married men they had in the Army the better. He suggested to the right hon. Gentleman the increase of the soldier's present ration of meat (three-quarters of a pound), which for young soldiers was too small, while the ration of bread was probably too large. He would also suggest that soldiers should receive a clear shilling a-day, instead of receiving 9*d.* per day with a reduction of 3*d.* for vegetables. They should at least receive a free ration of vegetables as well as of bread and meat. Another desirable measure would be the addition of a battalion to the Coldstream and another to the Scots Fusilier Guards, in order to make those two regiments equal in number to the Grenadier Guards. He was aware that for these and other measures they must wait for more means. As the right hon. Gentleman said on Saturday, at the United Service Institution—"at the bottom of half the difficulties which surround you is the question of economy." On this point the radical mistake committed by most critics was, that they compared armies raised by conscription with an Army raised by enlistment—in other words, they compared forced labour with free labour. Until we had in this country conscription, or unlimited means to dispose of—neither result very likely—the only thing was to make our available means go as far as possible; and he had every confidence that the right hon. Gentleman would spend the money at his disposal judiciously with a view to the best interests of the Service.

Mr. H. B. SAMUELSON said, that, speaking as a Militia officer, he was sorry that there were to be no Autumn Manœuvres this year, but that the Army was, in the words of the Secretary for War, to have a little rest. He had no doubt that the Army would willingly "rest and be thankful." The Manœuvres were productive of much advantage to all the Militia regiments which took part in them. In them they saw something approaching to the reality of a soldier's life in the field; they were brought into constant contact with the Regulars, and could not fail to learn much from them; and they were thoroughly exercised in marching, and brought into much stricter discipline than was possible when they were in billets. The so-called mobilization of last year was, however, according to his experience at the camp at Minchinhampton, a totally different thing. The very term mobilization, as then applied, was a misnomer. It implied the rendering moveable of an Army Corps, whereas that camp was absolutely immoveable. It could not have been moved a yard, for it was on the top of a hill, and the means of transport available were utterly insufficient for moving it.

There were seven Militia regiments there, without Cavalry, Artillery, or Regulars of any description to take pattern from, or to manœuvre with. The setting-up drill, so necessary above all to Militiamen, was, and could not help being, most insufficient; for the time was so entirely taken up with brigade and divisional field days that scarcely any was left even for battalion drill. There was no marching, and no musketry instruction, and the Commander-in-Chief reviewed the troops within about a week of their reaching the camp. In short, they learnt nothing that they could not have learnt more thoroughly on their own parade ground. The so-called mobilization was a gigantic pic-nic, most enjoyable to all concerned, and to the country people, who flocked into the camp in crowds; but, so far as the real interests of the Militia Force were concerned, it was an expensive outing, the benefits of which were in no way commensurate with its cost to the country.

Colonel NAGHTEN suggested that an increased ration of meat—namely, one pound, instead of three-quarters of a pound—should be given to the men, as better living was likely to diminish drunkenness. He recommended that additional inducements should be held out to short service-men to re-enlist at the completion of their service, and called attention to the expense incurred in sending men to India with only 18 months to complete their service, and he would like to know how much it would cost to send out men to relieve them. His Royal Highness the Commander-in-Chief, after inspecting a regiment going to India, stated that he regretted, under the existing circumstances, the loss of so many men, especially non-commissioned officers, on the eve of their departure for foreign service. He (Colonel Naghten) also recommended that the money paid to the Militia Reserve would be more profitably employed if given as bounty to the Militiamen who volunteered to the Regular Service.

Mr. CAMPBELL - BANNERMAN said, he did not share in the regret of the hon. and gallant Baronet the Member for Sunderland (Sir Henry Havelock), that the right hon. Gentleman had not at this stage entered into the question of promotion and retirement, because that was a question by itself, it was one of great complication, and he could assure the right hon. Gentleman that when he brought his proposals forward they would not escape a somewhat lively discussion. But there could be no doubt it was wise that that subject should be kept distinct from the Army Estimates. There was another subject which hon. Members for the present were deterred from discussing, because they had not had time to consider the Papers which had been submitted to them that morning, and that was the Report of the Militia Committee, which affected the organization of the regiments of the Line. He had read the Report of that Committee with a good deal of astonishment; and he would only say, if he might slightly alter some well-known words "that that in a Conservative was but a reforming act, which in a Liberal was rank revolution." Proposals were contained in the Report to which he referred of the merits of which he would give no opinion, but which, if they had emanated from the side of the House upon which he sat, would have been met with an outcry that it would have been difficult to overcome. The same observation applied to the changes with regard to the Artillery, which were changes in the right direction, both with regard to the efficiency of the Service and with the view of working out the general localized system of the Army. With respect to the Estimates themselves, he had no remark to make, excepting that he should like to be better informed in regard to the separate Vote of £1,000,000 which was to be taken. He wished to know how it was that £1,000,000 had been so exactly arrived at, and from whence it was to come? He could not understand the nature of the arrangement; and he should like to know whether it was in any way the result of the deliberations of the departmental Committee on the question of accounts between the War Office and Treasury? As to the question of recruits, about whom so much has been said, he did not share the opinions which had been expressed by some hon. Members as to the quality and age of those recruits. There was no doubt that they were young; but, having been in a garrison town for some time, he must confess that he was struck with the healthy and tidy appearance of those young recruits, which suggested to him whether they did not come from a higher class of society than that from which we had previously been drawing our supplies. The improvement in the recruiting was largely attributable to the state of trade. It was also, he believed, attributable to the fact that the short-service system was becoming better understood and appreciated. They had heard to-night something like recantations of what had been said against that system on former occasions; but he believed it was the only system on which the Army of this country could be maintained in efficiency; and when it came to be rightly understood he had no doubt it would have a great effect in attracting recruits to the Service. Another cause of the improvement was the judicious step which had been taken by the right hon. Gentleman in raising the pay of non-commissioned officers, increasing the pay, and improving the condition of the soldiers. For two years the Army had been considerably, and in an increasing degree, below its establishment, and the increase of pay was therefore called for. But if we applied this test to what the right hon. Gentleman proposed to do with the Militia, what was the condition of that Force? It was now in a higher state as regarded its total number of efficient men than it ever was before. He must, therefore, doubt whether the present was the time to give additional bounty and to increase the pay of the Militia. He was glad to hear from the right hon. Gentleman that there was no disposition to stop recruiting, inasmuch as there had been a contrary impression out-of-doors on that subject. That would be a short-sighted course, and would permanently weaken the Reserve. The manner in which the Reserve had turned out last year was most satisfactory. His hon. and gallant Friend the Member for Renfrewshire (Colonel Mure) wished some of the Reserve called out every year; but if they were called out too often, a great deal of harm would be done. It would not do to be continually interfering with men who had settled down into civil life. In fact, if they were frequently and unnecessarily interrupted in their businesses and occupations, it would strike a fatal blow at the system.

Mr. GATHORNE HARDY, in reply, said, the discussion had gone on so long and so tranquilly, without any real opposition to the Votes, that he hoped he was not taking any liberty in asking the Committee to agree at once to the first Vote. With respect to the "Stock Purse Fund," the subject was still under consideration; but it would be seen this year how the money would be applied. With respect to the Militia, he (Mr. Hardy) thought it would be found that what was now given to them was no very great gain; but the result of the arrangements that had been made would, he hoped, be that men would re-enter the Militia more readily. With regard to the item of £1,000,000 referred to by the hon. Gentleman opposite (Mr. Campbell-Bannerman), that was taken with the assent of the Indian Office as a fair estimate, and in the Indian Army Charges Estimate the amount was set out in detail. With respect to the changes proposed by the Militia Committee, he would not at present enter into them. They were matters for future consideration and might possibly be discussed in Committee. It was a mistake to suppose that he had thrown any disparagement on the Militia Service as regarded the colonels. He had made no charge against those officers. On the contrary, he merely said that the system of giving commissions by the colonels of Militia to the Army had been used in a way that was never intended, and when he saw that the so-called Army agents were taking the matter up, he thought it might be made a subject of traffic, and therefore he had found it necessary to interfere. It looked as if it were becoming a practice for men to enter the Militia with a view of being passed over to the Army and receiving a commission. He said that without any ill feeling to the Militia. He did not think it a good system, and was of opinion that it might lead to some misunderstanding, and it was his intention to re-consider the system. With respect to the question of the hon. and gallant Member for Galway (Captain Nolan), with reference to the Artillery, all the details of the plan had yet to be carried out, but he would take care to pay special attention to the point mentioned by the hon. and gallant Gentleman. As to the suggestion that an extra quarter of a pound of meat should be given to the men in the Army, that would involve an additional expenditure of more than £250,000, and he should find it exceedingly difficult to add that to the Army Estimates. Besides, he did not think he should get an additional recruit by giving an opportunity to men to eat a quarter of a pound of meat more than was now allowed in the Army. With regard to recruits, a good deal had been said about their bad condition. He was bound to take Reports which were made to him from official sources. If the colonels of regiments at Aldershot were dissatisfied about their recruits, it was their duty to complain. The Inspector General said there was hardly any complaint about recruits, and that they were spoken of very favourably. [SIR HENRY HAVELOCK: It would be much more satisfactory if we saw the Reports of the colonels.] He thought the hon. and gallant Member for Sunderland would hardly wish the Reports of colonels about the discipline and condition of their regiments to be published to all the world. As he had intimated, there were very few complaints, and he had no doubt if any men were found inefficient, they would be removed from the Service. He believed that in former times we got very good soldiers, and that now we got very good soldiers at the age of 18 or 19, and that they would do very good work if called upon. He trusted that the hon. Member for Salisbury (Dr. Lush) would not think he (Mr. Hardy) had been speaking slightingly of the medical officers of the Army, for he was not disposed to underrate any real grievance; but as there had scarcely been any time for testing its operation he trusted that a fair trial would be given to the Warrant of July last. He felt certain that there was no grievance, at least to the extent made out, borne by the medical men with reference to their social position, for it was the same in all public bodies as in all public schools—that a man who was worthy of a social position was perfectly certain to obtain it. If a man had the qualities of a gentleman, and treated himself as such, he did not for a moment believe that the officers of a regiment would treat him otherwise than he deserved to be treated. His hon. Friend, who opened the discussion, asked what he (Mr. Hardy) meant by passing men into the Reserves. Hon. Members would remember that commanding officers had now power to pass men from their regiments into the Reserves, and therefore as their regiments became too full, they could exercise that power and draw out men who desired to go, and who were fit to be placed in the Reserves. His hon. Friend had also said a few words about the medical officers; but he (Mr. Hardy) thought on inquiry it would be found that if they wished many of them to go back to their old regimental positions, they would be very unwilling to do so upon upon the old regimental pay. With reference to calling out the Reserves, while agreeing with what had been said by the hon. and gallant Gentleman opposite (Colonel Mure) as to the necessity of that course, he would remind the Committee that the old system of paying them in advance for doing nothing at all had been done away with, and they would have a certain number of days' work to do, and they would be paid in arrear. Beyond that, they would not get deferred pay unless they attended when required. They would not be called up in large numbers, for he felt certain if this plan were to be adopted, and they were to be brought a distance from their homes, they would break up the Reserve system before it got into working order. In conclusion, he would say that he was not aware that he had omitted any point which had arisen in the discussion. There would be plenty of opportunity for discussion as each Vote came up, and he hoped the Committee would pass the Votes for which he now asked.

MR. J. HOLMS said, the Estimates ought to be considered this year with more than ordinary care, because they had to take a review of the promises of the last few years. He thought sufficient time should be given for considering many points of the right hon. Gentleman's statement, and also as regarded recruiting most important information was wanted which even the War Office could not at present supply, and without which it was impossible to discuss the condition of the Army. The Estimates were at least £1,000,000 sterling more now than they were in 1874-5, and that fact alone should be sufficient to induce them not to pass the Vote hurriedly. He therefore moved that the Chairman report Progress.

Motion made, and Question proposed, "Taat the Chairman do report Progress, and ask leave to sit again."—(*Mr. J. Holms.*)

Mr. DALRYMPLE said, his experience of the working of the mobilization scheme last year differed entirely from that of the hon. Member for Frome (Mr. H. B. Samuelson) or that of the hon. and gallant Member for Sunderland (Sir Henry Havelock). So far as he was aware, it certainly could not be described as a time of pleasure only. Whatever might have been the pleasure, it was a time of much hard work; and it might turn out that the experience derived from it might be useful and instructive in future. He (Mr. Dalrymple) did not know what was meant by saying that there had been no trial of the transport service. Granted that there had been mistakes; granted that there might have been unavoidable discomfort, he was not aware that anyone had expected complete freedom from these, and one result would naturally be that experience would be gained for another time. He regretted to hear that there was to be no repetition, in the present year, of the system of mobilization inaugurated last summer.

Mr. GATHORNE HARDY hoped the hon. Gentleman opposite (Mr. J. Holms) would not persevere in his Motion to report Progress. It was of the utmost importance, seeing that Easter was so near at hand, that the Votes for men and money should be taken as soon as possible. He promised the hon. Member that he should have ample facilities for discussing the Estimates afforded him on future occasions.

Mr. J. HOLMS said, that as the right Gentleman had promised that every facility should be given on a future occasion to discuss the Vote, he would not insist upon a division, but would withdraw the Motion.

Motion, by leave, *withdrawn.*

Mr. PARNELL said, he wished to make a few observations. The Vote before the Committee was a most important one, that ought not to be hastily disposed of. It was of the greatest importance that the debate should not be too speedily closed, as he had seen several Irish Members endeavour to catch the eye of the Chairman, and, so far as he was aware, only one hon. Irish Member had done so. [*Laughter.*] He meant one civilian Irish Member. They were about to vote away large sums of money, and he was of opinion that the matter ought to be further discussed. He begged, therefore, to move that the Chairman report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell,*) —put, and *negatived.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £4,565,800, be granted to Her Majesty, to defray the Charge of the Pay and Allowances and other Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment from the 1st day of April 1877 to the 31st day of March 1878, inclusive."

General Sir GEORGE BALFOUR appealed to the Government to defer the first Vote of the Estimate until the House had full information with regard to the sum of £500,000, which was deducted from the gross Estimate, and which was stated to be money to be transferred from the Exchequer to this War Office Vote in aid of the expenditure included in the Army Estimates to meet the Home Effective Charges for the Regular Forces serving in India. This mode of dealing with moneys due by India, of first paying the sums into the Exchequer, and then paying out amounts due for services performed by the War Office, was open to the gravest objection in a financial as well as in an accounting view. It kept up the confusion that even now existed between the two accounts of the India Office and War Department, and prevented the true amount from being ascertained. Beyond that, it introduced a novel practice which had always been opposed by all the able men who had reported on our system of accounts, and he hoped the Committee would not agree to the Vote until full information had been given.

Mr. F. STANLEY hoped the hon. and gallant Member would not persevere in his objection. A statement on the subject had been laid on the Table on the 25th February last, in which full information was given. A Committee of Investigation had also sat.

Sir HENRY HAVELOCK said, the right hon. Gentleman the Secretary of State for War was responsible for this by withholding Papers.

MR. GATHORNE HARDY said, he had not the slightest objection to the Report of the Committee being laid on the Table. The accounts made it perfectly clear. It was formerly paid into the Treasury, and now they wished it to be paid in as a Vote. There was no concealment about the matter.

GENERAL SIR GEORGE BALFOUR complained that the Treasury was not keeping faith with him in not presenting the Papers which had been promised, relating to the transactions between the War Office and India Departments.

MR. W. H. SMITH said, that the course which had been pursued at the Treasury in regard to the payment into the Exchequer of these contributions from India, as an extra receipt, had been the practice since 1862, and if the hon. and gallant Member was in possession of any information which would enable them to keep the accounts in a better manner, they would be only too glad to receive assistance from him. The charges incurred in England on behalf of India were shown in a separate account and a separate Estimate, and the account would show the receipt of £1,000,000 from India on account of this expenditure.

GENERAL SIR GEORGE BALFOUR contended that the accounts had not been kept in this manner for so long a period. The money paid by India between 1861 and 1870, under the agreement known as the capitation rates, was invariably paid into the Exchequer as extra receipts, and so shown in the War Office Estimates. The money never was used as abatements of the gross charges of the War Office as now done. The present Estimates were decreased by the course followed to the extent of near £900,000. He (Sir George Balfour) might be wrong as to the exact figure, but he was confident that there was no one in the House who could prove him to be inaccurate. This Vote ought to be postponed until the matter could be made more clear.

LORD FREDERICK CAVENDISH also complained of the way in which these accounts had been kept.

MR. F. STANLEY contended that they had been kept in accordance with the recommendations of a Committee.

MR. MACDONALD moved to report Progress.

THE CHANCELLOR OF THE EXCHEQUER hoped that the hon. Member would not persevere with the Motion. The question of these accounts was a technical one; but it had been fully discussed, and nothing would be gained by a postponement.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Macdonald,*)—put, and *negatived.*

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £50,000, be granted to Her Majesty, to defray the Estimated Excess of Expenditure beyond the sums voted for the Army Purchase Commission for the year ending 31st March 1877."

MR. PARNELL moved to report Progress.

MR. GATHORNE HARDY hoped the Committee would allow him to take this Vote, as it was required to defray the expenditure of the Army Purchase Commission.

GENERAL SIR GEORGE BALFOUR considered the time was now come when an explanation of those accounts between India and War Offices should be given; and he hoped the right hon. Gentleman the Chancellor of the Exchequer would give orders to have the accounts prepared and laid before the House. It was fully understood by the Committee, over which the Paymaster General presided, that the whole of the Papers would be presented to Parliament without delay, and three years had elapsed without that expectation being realized.

MR. PARNELL said, several hon. Members, and amongst them the hon. and gallant Member for Galway (Captain Nolan) were dissatisfied at not having received any satisfactory explanation on this and other matters.

MR. GATHORNE HARDY said, this was a very hard case, and some of those officers could not be paid unless the Commissioners received the money for the purpose.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell,*)—put, and *negatived.*

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £140,000, be granted to Her Majesty, to defray the Estimated Excess of Expenditure beyond the sums voted for Army Services for the year ending 31st March 1877."

Motion, by, leave, *withdrawn.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

House adjourned at One o'clock.

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HOUSE OF LORDS,

Tuesday, 6th March, 1877.

MINUTES.]—Public Bills—*First Reading*—Forfeiture Relief * (20).
Committee — *Report* — Public Record Office (8-21).

PUBLIC RECORD OFFICE BILL.

(*The Lord Chancellor.*)

(NO. 8.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

The LORD CHANCELLOR, in moving that the House be put into a Committee on this Bill, said, he only proposed on this occasion that the Committee should be taken *pro formâ*, in order that new clauses might be introduced, and that the Bill might be reprinted with the Amendments. Since it was laid on the Table representations had been made from various quarters that it was desirable that the scheme of the measure should be carried further, so as to include the destruction of rolls or records of the sessions of the peace in the counties, which had largely accumulated, and were entirely without importance. He proposed, therefore, to introduce clauses to effect that object, and their Lordships would be better judges of how far they might with safety go in the direction referred to when they saw those clauses in print. Also, he found there was a feeling in some quarters—and it was one in which he sympathized—that there should from time to time be laid before Parliament a statement of the documents proposed to be destroyed, so as to enable Parliament to judge of the expediency of their being so dealt with. He proposed to introduce a provision to that effect in the Bill, and this afforded another reason for reprinting the Bill itself.

Motion *agreed to.*

House in Committee accordingly.

The Earl of HARROWBY suggested that the Bill should be referred to a Select Committee, of which the Duke of Somerset should be the Chairman.

The LORD CHANCELLOR said, that his noble Friend (the Earl of Harrowby) was for proceeding with great rapidity, because he not only proposed a Select Committee, but selected a Chairman for that Committee. No better selection could be made; but at present they were only at the stage of Committee, and he had suggested that the Bill should be reprinted in order that their Lordships might see the proposals of the Government in their entirety. If, when those proposals were before the House, any strong feeling was expressed on the part of their Lordships for referring the Bill to a Select Committee, he should offer no opposition to that course. In fact, the desire of the Master of the Rolls was not to act without authority in reference to the important matter of the destruction of documents, but rather to have all responsibility removed from him as far as it was possible to remove it.

Bill *reported*, without Amendment; Amendments made: Bill *re-committed* to a Committee of the Whole House on *Tuesday* next; and to be *printed*, as amended. (No. 21.)

LORD CHIEF JUSTICE COLERIDGE—COSTS IN POACHING CASES.

QUESTION. OBSERVATIONS.

Viscount MIDLETON said, he had given Notice of his intention to ask the Lord Chancellor, Whether his attention has been called to a report in *The Times* of the refusal by Lord Chief Justice Coleridge to allow the costs of a conviction for night poaching, when he was stated to have used these words—

> "that it was the first occasion any such application had been made to him, and he hoped it would be the last, for he certainly never should order the costs in any such case. He wished it distinctly to be understood that he was only following the dicta of eminent Judges. The law ought undoubtedly to be enforced, but as the law protected the amusements of rich people, they must pay for its enforcement."

He had also given Notice to ask, Whether that report is correct; and, if so, whether the ruling of Lord Chief Justice Coleridge is in conformity with the practice of Her Majesty's Judges? He had purposely given a Notice sufficiently long to enable the noble and learned Lord on the Woolsack to communicate with Lord Chief Justice Coleridge, and to enable the learned Judge to return such reply as he might deem advisable. However, since he put his Notice on the Paper a change had occurred in the circumstances of the case. Last evening a Question on the subject was put and answered in "another place;" and, as the Answer was in the shape of a letter from Lord Chief Justice Coleridge, he hoped their Lordships would not consider him to be out of Order if he referred to it. The letter stated that the report, with the exception of one word—the variation in which did not at all affect the Question of which he had given Notice—was correct; and it further stated that several learned Judges, none of whom were now living, but whose names were mentioned with respect by the Bar, took the same view as that adopted by Lord Chief Justice Coleridge, and that their decisions on the point formed precedents on which he had acted. He had been unable to verify those authorities, and probably they were not in print; but as one and probably more of those decisions had come within the Lord Chief Justice's own knowledge, he thought their Lordships might take it that the learned Judge's statement on that head was correct. Thus two portions of the Questions he had intended to ask had been answered. He would not conceal from their Lordships, however, that there was another branch of the case upon which he was sorely tempted to enter—he was much tempted to ask if this was the judicial utterance of the Lord Chief Justice—that he was determined to refuse costs invariably in all such cases, irrespective of what the circumstances might be—and that the amusements of the rich must be protected at the expense of the rich. He would not, however, enter into that point either, because the Circuit had not closed and the noble and learned Lord was not in his place. He had been most anxious to ascertain at the earliest possible moment the correctness of the newspaper report; but, as the Question he would have put to elicit information on that head had been answered by anticipation, he would not further take up the time of the House.

THE LORD CHANCELLOR: If I rightly understand my noble Friend he does not put any Question to me. I am glad he has not done so, for, had he done so, I should have replied that, though I should have had great pleasure in becoming the medium of any communication which the Lord Chief Justice might desire to make to your Lordships, on the other hand, I have no jurisdiction at all over and no responsibility at all for the Lord Chief Justice, and no means of ascertaining the correctness of the observation he is reported to have made which is not open to any other Member of your Lordships' House.

THE EARL OF MALMESBURY said, that in the absence of the Lord Chief Justice, he did not intend to go into a discussion of the subject. He must, however, say that if the Game Laws could not rest on their own merits, they ought to be revised. He believed, however, that they could stand on their own merits. They were intended to protect certain wild animals which were useful to the public in various ways; and it was impossible to say that laws made for the preservation of wild animals indigenous to this country were enacted for any one class of the people. Any amusement which was derived in consequence of that preservation was shared in by the poor, as well as by the rich; and the Bill passed last Session for the Preservation of Wild Birds was passed more in the interests of the poor than in those of the rich—for generally their destruction constituted no sport of the rich. He would not enter further into the subject in the absence of the Lord Chief Justice; but he had thought it his duty to protest against the inference likely to be drawn from the observations of the noble and learned Lord.

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 6th March, 1877.

MINUTES.] — New Member Sworn — Sir Hardinge Stanley Giffard, *for* Launceston.

Supply — *considered in Committee*—Army Estimates and Army Supplementary Estimates —*Resolutions* [March 5] *reported.*

Public Bills—*Ordered*—Mutiny.*

Second Reading—High Court of Justice (Costs) * [99].

Second Reading—Referred to Select Committee— Thames River (Prevention of Floods) * [70]; Metropolis Toll Bridges * [18].

Committee — Report — Game Laws (Scotland) Amendment * [25-107]; Consolidated Fund (£350,000) *.

INLAND REVENUE STAFF (IRELAND).

QUESTION.

Mr. BRUEN asked the Secretary to the Treasury, If it is true that the Commissioners of Inland Revenue propose to abolish the Carlow district as a separate district for the collection of Income Tax; and, if so, to what district or districts the eight Poor Law Unions comprised in the collections are to be added; whether time will be given before the change is finally made for the expression of opinion, for or against it, on the part of the public in these eight unions, whose interests and convenience may be affected by such centralisation; and, whether he will lay upon the Table of the House a Return of the Revenue annually received under each of the Schedules of the Income Tax in each of the eight unions of the Carlow district, and the expense of collecting this tax?

Mr. W. H. SMITH: Sir, it is true that the Board of Inland Revenue have decided to abolish the office of Surveyor of Taxes at Carlow, as part of a scheme for the reduction of their Tax establishment in Ireland. Of the eight Poor Law Unions, which formerly composed the Carlow district, Enniscorthy Union has been added to Waterford district, Mount Mellick Union to Athlone district, and the other six Unions to Kilkenny district. I can see no reason for delaying the proposed reduction in the staff. The convenience of the taxpayers has been, and will be, consulted as much as possible; but an unnecessary Government officer ought not to be maintained merely because private interests might be affected by the abolition of his post. I have in my hand the Return for which the hon. Member asks, and will be glad to lay it on the Table. The saving that will arise from the withdrawal of that officer is £484 a year.

TURKEY—CHRISTIANS IN TURKEY—DESPATCHES, 1860-61.

QUESTIONS.

Mr. FORSYTH: In putting the Question of which I have given Notice I would state that there were two despatches on the same date. The Question is to ask the Under Secretary of State for Foreign Affairs, Whether "the other Circular" of Sir Henry Bulwer to the Consuls in Turkey, dated June 11th, 1860, to which Consul Skene refers in his Report to Sir Henry Bulwer, dated Aleppo, August 2nd, 1860, in the following terms:—

> "I thus furnished what information I could without being aware of the motives dictating the questions, and without being in possession of the valuable instructions conveyed by the other Circular,"

and which "other Circular," it is stated in "the Reports received from Her Majesty's Consuls, relating to the condition of Christians in Turkey," presented to both Houses of Parliament, 1861, page 3, "had not been received," has since then been received; and, if so, whether there will be any objection to lay such "other Circular" upon the Table of the House?

Mr. BOURKE: I cannot answer the Question of my hon. and learned Friend without letting the House know the exact state of the facts with reference to the Papers. The facts are these—It appears from the Papers presented 16 years ago to this House that Sir Henry Bulwer sent two Circulars upon the subject of the treatment of the Christians in Turkey. The first is mentioned in the Papers alluded to by my hon. and learned Friend. The second despatch, which is technically called the second Circular, was merely a letter sending the questions which were sent in the same Circular, and which were afterwards answered and appeared in the Blue Books. So that the second Circular, which is alluded to by my hon. and learned Friend, and which is referred to in the despatch of Consul Skene and many other despatches, is merely an inclosing Circular sending the questions which are all set out in the Blue Book.

MR. FORSYTH: Would there be any objection to lay it upon the Table?

MR. BOURKE: None whatever.

TURKEY—THE CONFERENCE AT CONSTANTINOPLE—THE PAPERS.

QUESTION.

LORD ROBERT MONTAGU asked the Under Secretary of State for Foreign Affairs, If he has any objection, and, if so, what objection, to lay upon the Table the telegram from Lord Salisbury of January 8th, in which he reports that

> "The Grand Vizier believes he can count upon the assistance of Lord Derby and Lord Beaconsfield, although warned in the strongest terms to the contrary,"

(referred to in Papers, Turkey II., No. 150)?

MR. BOURKE: The telegram referred to in the Question of the noble Lord refers to communications which were made confidentially by the Representatives of other Powers; and as those communications were made in confidence, in justice to the persons who were the the Representatives of other Powers they cannot be produced.

ARMY—ARTILLERY AND CAVALRY OFFICERS.—QUESTION.

MR. O'BEIRNE asked the Secretary of State for War, If he would consider the advisability of placing officers of Cavalry on the same conditions as officers of the Field Artillery for selecting chargers from the remounts, having regard to the fact that owing to the heavy expenditure imposed upon officers of Cavalry in purchasing chargers, sufficient candidates cannot be induced to enter this branch of the service, and for several months past nineteen regiments out of twenty-two on home service being short of their complement of officers?

MR. GATHORNE HARDY: Officers of Field Artillery receive only dismounted pay and are mounted on troop horses, which do not become their own property. Officers of Cavalry and Horse Artillery, who receive a higher rate of pay to cover expenses of their chargers, have certain privileges given them as to selecting horses from the ranks at moderate prices. If the Cavalry officers are to be placed on the same footing as the Field Artillery, as the hon. Member suggests, they would have—first, to be reduced to Infantry rates of pay, and, secondly, they would have to ride troop horses not their own property. This would certainly, I think, be unpopular. I have only to add that there are no vacancies in Cavalry regiments except those kept open for sub-lieutenants still under garrison instruction.

SCHOOL BOARD PROSECUTIONS (SCOTLAND).—QUESTION.

DR. CAMERON asked the Lord Advocate, Whether his attention has been called to the fact that, while in certain districts of Scotland sheriffs have ordered the procurators fiscal within their jurisdiction to prosecute defaulting parents under the Scotch Education Act without fees, and as part of his ordinary work as public prosecutor, a contrary course has been adopted by the sheriffs in other districts; whether he is aware that the fees charged by procurators fiscal in certain instances have tended to prevent the enforcement of the compulsory provisions of the Scotch Education Act; and, whether he will be pleased to direct that henceforth procurators fiscal conduct such prosecutions without fees and as a part of their regular duties?

THE LORD ADVOCATE: I have to inform the hon. Member for Glasgow that my attention has been called to the fact that in Scotland very great difference of opinion exists as to whether the procurator fiscal is bound to conduct prosecutions by school boards gratuitously. A number of the sheriffs principal in Scotland are disposed to take one view, and some another view, and the result is that in certain counties the prosecutor fiscal prosecutes without payment, and in other places prosecutes, but makes a charge. I believe, also, that in some cases the sheriff has required his procurator fiscal to prosecute without charge. The sheriff is undoubtedly in a position to do that with effect, because the patronage of the office of fiscal belongs to him, and in the event of disobedience of his orders, whether the fiscal likes them or not, he has the power of dismissing the fiscal without explanation or apology. I am not aware that the fees chargeable have tended to prevent the enforcement of the compulsory provisions of the Act. The 70th section of the Education Act gives every school board the option of employing the procurator fiscal of the county or any other person they choose; but from Returns which have come under my notice, I am aware that the amount of the fees paid for prosecutions by the procurator fiscal in 1876 only amounted to the sum of £61. In answer to the third part of the Question, I have to say that as there is so much difference of opinion, I cannot say that it is the duty of the procurator fiscal to prosecute, and I am not prepared in the present state of the law to impose upon him any duty which is foreign in its character to the usual and regular duties of the office of fiscal as suggested in the hon. Member's Question.

EGYPT—COLONEL GORDON.

QUESTIONS.

Mr. HANBURY asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has received official information of the appointment of Colonel Gordon as Governor General of the Soudan; and, if so, whether he can state what powers have been conferred upon Colonel Gordon by the Khedive for the suppression of the slave trade in the countries within his jurisdiction?

Mr. MARK STEWART: I beg also to ask my hon. Friend a Question of which I have given him private Notice—namely, Whether he can inform the House what extent of territory in the Soudan is proposed to be annexed by the Khedive of Egypt, and whether it extends to the Equator?

Mr. BOURKE: In reply to the Question of my hon. Friend, I have to state that Her Majesty's Government have received the information which is alluded to in the Question of the hon. Member for Tamworth; and as the answer which I propose to give is one about which many people feel a great deal of interest in this country, with the permission of the House I will read a short letter which we have received from Mr. Vivian, Her Majesty's Agent and Consul General in Egypt. It is addressed to that official by Colonel Gordon—

"Cairo, Feb. 16.

"Sir,—I have the honour to inform you that His Highness the Khedive has appointed me Governor General of the Soudan. His Highness has given me full powers over the finances, &c., of the Province. I have no hesitation in stating to you that this most splendid concession has been obtained from the good-will of His Highness on your straightforward representations to him. I thank you, therefore, most cordially for the able way in which you have assisted me, and thereby placed me in a position in which, if I live and God prospers me, I can look with certain confidence to the total suppression of the slave trade in, and the opening out of these vast countries. It increases my gratitude towards you to know that you have obtained this concession without any undue pressure on His Highness. You kindly placed before him the facts, and His Highness at once acceded to my nomination. No one could possibly have imagined that such powers as His Highness has confided to me would be so full and complete as those I have had given me; and I say that, from henceforth I alone ought to be considered responsible if the hunting of slaves does not cease. You will, of course, consider that I need some time in order to remedy the present state of affairs, and that it would be injudicious on my part, in the face of the astounding authority His Highness has invested in me, to attempt any violent or sudden course of action. His Highness has throughout my intercourse with him shown himself perfectly sincere; in no way am I trammelled, and I fear no intrigues. Again thanking you for your kind and able support, I have the honour to be Sir, your most obedient servant,

"C. G. Gordon."

With regard to the hon. Member for Wigton, I cannot state exactly the extent of territory included in what is known by the name of Soudan. Its limits to the North are well known and can be seen upon any map; but with regard to its limits Southwards I am not able to say how far they extend.

WEST AFRICA—COLONIAL REVENUES.

QUESTION.

Lord ROBERT MONTAGU asked the Under Secretary of State for the Colonies, If he will state what "change in 1872 was made in the system of taxation" in Sierra Leone; when the increase of the Revenue of the West African settlements, in consequence of the acquisition of the Dutch Colonies, began to be apparent; what was the cause of the change for the worse in the Revenue of the Gold Coast, which took place in 1874; and if he will state what are the Export Duties, besides that on nut oil, which forms "the bulk of the receipts (of Revenue)?"

Mr. J. LOWTHER: In 1872 an entire revision of the Customs duties was effected at Sierra Leone. Many small articles were exempted from duty. The duty, was, however, retained, and in some cases increased on spirits, rum, tobacco, guns, and gunpowder. There was also levied an export duty on ground nuts. The increase of the revenue of the Gold Coast Colony, which my noble Friend appears, not unnaturally, to have confused with the West African Settlement, became apparent as soon as the termination of the Ashantee War allowed trade to be freely resumed. It is not the case that there was any change for the worse in the revenue of the Gold Coast Colony until 1876, when the returns showed an inclination to fall short of the estimate. The export duties at the Gambia are only on ground nuts.

MALTA—THE LEGISLATIVE COUNCIL.

QUESTION.

Mr. ANDERSON asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government has any information as to an incident alleged to have occurred at a meeting of the Legislative Council of Malta, where one member of the Council, considering himself insulted by the speech of another, took proceedings in a police court, and subpœnaed the other elected and official members to attend and give evidence; and, whether that Legislative Council has not the same privileges of freedom of speech as regards those outside, and power to control its own members inside, as are possessed by this House; and if not, whether it rests with Her Majesty's Government, or with the Council itself, to confer them?

Mr. J. LOWTHER: A despatch has been received from the Governor of Malta referring to this subject. It appears that a person who felt himself aggrieved by the language used by a member of the Council, and who was not himself a member, took proceedings in a police Court, and summoned as witnesses other members of the Council. As to the law bearing on the subject, it would seem the Council of Malta does not possess privileges and powers similar to those enjoyed by this House, but I believe they have power to confer upon themselves reasonable privileges by means of enactment.

ADMIRALTY ADMINISTRATION.

RESOLUTION.

Mr. SEELY (*Lincoln*), in rising to move—

> "That this House, in order to remedy certain defects in the administration of the Admiralty, recommends the Government to take into consideration the propriety of administering that Department by means of a Secretary of State; that this House further recommends the Government to take into consideration the advantages of appointing to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards persons who possess practical knowledge of the duties they have to discharge; and of altering the rule which limits their tenure of office to a fixed term,"

said: The Navy differs from all the other public Departments in this respect—that it is administered by a Board. Other public Departments may be said to be administered by what may be called Boards, but they are not Boards in reality. There is the Local Government Board, for instance. No one can say that the President of that Board is not supreme in the same way as is the Secretary of State for the Home Department. The same may be said of the Board of Trade. There is also the Treasury Board: yet it is only a Board in name, for my right hon. Friend the Member for Pontefract (Mr. Childers), when giving his evidence before the *Megæra* Commission, used these words—

> "That system was found utterly unworkable, with the accumulation of business and the requirements and the responsibility at the present day."

I know it has been argued, and it may be argued again, that though there is a Board of Admiralty, the First Lord is really supreme; and that the Members of the Board are merely a Council, and a very efficient Council, in giving him advice. Well, I doubt this. The Members of the Board of Admiralty are appointed by Patent. They sit daily for the transaction of business. I therefore doubt whether the First Lord would be supreme, as the Secretary of State for the Home Department is in the management of his Department. But even if that were so, still there are strong objections to the system. I believe that the Lords of the Admiralty are often appointed on political grounds, and I am certain that their tenure of office is much too short. That they are often appointed upon political grounds appears to me clear. My right hon. Friend the late First Lord (Mr. Goschen) thought that I attached too much weight to this argument; but even he was obliged to admit that "political considerations ought as little as possible to influence the choice of Naval Members of the Board." And my right hon. Friend the Member for Pontefract (Mr. Childers), when giving instructions to the Permanent Secretary in 1869, soon after his accession to the position of First Lord, said—

> "You are the embodiment of the permanent Admiralty Department, and in process of time this state of things ought to exist: that if the heads of the Office whose tenure depends upon considerations of a political character are removed, you and your heads of branches ought to have such a grasp of the business that you can carry it on until the new heads of the Office are warm in their saddles."

And I think I may cite the present First Lord (Mr. Hunt) as a proof that political considerations have somewhat too much to do with the government of the Navy. When the First Lord entered upon his office in the year 1874, he made a very violent attack upon the preceding Board. He, in fact, charged them with having starved the Navy; and implied that they had handed over to him "dummy ships" and a "fleet on paper." ["Hear, hear!"] I hear that that statement is cheered by hon. Gentlemen opposite. Well, the effect of that statement at the time was to produce a sort of national scare. People were exceedingly frightened, and they could scarcely sleep comfortably in their beds. But when the facts upon which the First Lord based his assertion came to be examined, it was found that there was but little in it; and I think that if we were to compare the Fleet of 1874 with the Fleet of the present day, we should find that the attack of the First Lord on his Predecessor was neither sound nor just; for, to the best of my knowledge, the Fleet has not been increased, except in two instances, by any ship that was not designed and brought forward by the late Government, or was not being built at the time that he acceded to office. The two ships that have been designed and built and launched by the present Admiralty are the *Nelson* and the *Northampton*; and even these ships are described by the Controller of the Navy as "no part of what are called our battle-ships." And, further, I would point out that when the present First Lord acceded to office there were many ships being built. If there were to be a change of Government now, I think the new First Lord would find very few line-of-battle ships upon the stocks. I know of but two, the *Ajax* and the *Agamemnon.* Therefore I think I may fairly conclude that political necessities had somewhat to do with the strong assertions of the present First Lord. But there is a still stronger argument, I think, which proves that political considerations have much weight in the choice of Members of the Board of Admiralty. Since 1833, when the Board came into existence, there have been eleven changes of Government. Twice all the Lords have been changed but two; four times all the Lords have been changed but one; and five times all have been changed. During the last eight years, although it has been said that political considerations have no weight now, no less than 11 occupants have been found to fill the three Naval Seats. But great as may be the evil of filling these offices, high and important as they are, from political considerations, the evils of perpetual change are still greater. The business that they have to manage is an extremely large one, and a very difficult one. They have to see to the manning of the Navy, and its discipline; the building and repairing of our ships, and the victualling of them; they have a large number of artificers under their control; they spend something like £11,000,000 a-year; and therefore I may fairly add that the management of a business of this kind requires no ordinary skill and experience. But, according to the expressive phrase of my right hon. Friend the Member for Pontefract (Mr. Childers), before these Gentlemen are well "warm in their saddles" they are dismounted, and the horse has to find another rider. They have no experience to signify; and that is the one thing that I mainly complain of. My right hon. Friend the late First Lord (Mr. Goschen) was quite well aware of the desirableness of having continuity of service, and he made an attempt, which was not an exceedingly bold one, to get something like continuity of tenure in the office of Controller. He ejected the Controller from the Board; and the reason he gave was, that for the business he had to manage, the Controller required more experience than he was likely to obtain if he remained a member of so fluctuating a body as the Board; and that it would be a very great anomaly to have one member of the Board permanent and the other four not so. He therefore pushed the Controller from the Board. But does not the head of the *personnel* require something like experience for such matters as manning the Navy, and all those important subjects which come under the head of the *personnel?* But my right hon. Friend did not change the system with regard to the Naval Lords; and he assigned three reasons for keeping them as they were. I am inclined to refer to them in order to show that I do not think they were exceedingly forcible. One of them was that it was desirable to have Naval officers at the Board in order that the Governing Body might get a knowledge of the Fleet. Well, I think a knowledge of the Fleet might be obtained without a Board. I do not think it is necessary to bring Admirals and post captains into office for a short period in order to get a knowledge of what is going on on board our ships and in our respective Squadrons. The Foreign Secretary does not bring home an Ambassador in order to tell him what is going on in a foreign Court; and therefore, as I have said, I think that reason is not a very strong one. He also said that the feelings of the Service should be considered. I mention these points because it is very possible that the present First Lord may follow in the same line. Well, I too think that it is very desirable that the feelings of the Service should be attended to. We should like that to be done in all the Departments of the State, but higher considerations may prevent us from seeking to do it in that way. And, further, when you are speaking of the Service in reference to these appointments, it must be borne in mind that the Service there spoken of is only some 10 or 12 distinguished Admirals or post captains. The great body of the Service, the rest of the officers, the navigating officers, the seamen and marines, the artificers and the clerks—all these are, in my mind, comprised in the Service. Only a very small part of the Service is concerned when we speak of contenting some few distinguished Admirals. Another reason assigned was that it was desirable that these officers should go to Whitehall in order to learn administrative duties. It may be very pleasant for them to get in that way a knowledge of administrative duties; but, at the same time, I think that the price paid for it is rather too high. The fact is, that the constant changes that are going on not merely give us inexperienced Administrators at Whitehall, but sometimes give us inexperienced commanders at sea. Sir Sydney Dacres, who was a Lord of the Admiralty for some years, said, in his evidence before the Duke of Somerset's Committee—"The fact of officers remaining long at the Admiralty destroys their usefulness as sea officers;" and I will cite the case of the *Vanguard* as an illustration, and a very painful illustration, of the truth of that remark. I am not about to enter at any length into the question of the loss of the *Vanguard.* I endeavoured last Session to bring the matter before the House, and to test its opinion. I was not successful in obtaining a day; and I will, therefore, only refer to the subject so far as it illustrates my argument, that a long residence at Whitehall gives us inexperienced commanders at sea. Now, with regard to this question of the *Vanguard,* I think the Admiralty erred in two particulars. They erred in appointing Admiral Tarleton to the command of the Reserve Squadron in 1875; and they erred in not bringing Admiral Tarleton afterwards to a court-martial. The court-martial which sat on the case of the *Vanguard* assigned six causes for its loss, and one of them was the high rate of speed at which the Squadron was proceeding in a fog. The Admiralty, however, said that did not in any way contribute to the disaster. Now, the court-martial which sat on the *Vanguard* was a very strong body. There were two Admirals and seven captains—all commanding iron-clads. It must be remembered that the members of the Court were sworn, and that the witnesses gave their testimony on oath; and that the Admiralty, in upsetting this decision of the court-martial, held their proceedings in secret, so that no one knew anything of what occurred. I therefore think that I may assume that the Court was right in its judgment that the high rate of speed at which the Squadron was proceeding in a fog had something to do with bringing about that disaster. If this be true, and if the speed had been reduced to three or four knots an hour, according to the Admiralty regulations, then three of the other causes assigned by the court-martial would not have existed. The *Vanguard* would not have had to reduce speed, the *Iron Duke* would not have been going so fast, nor would she have had to sheer out of line. I think I might assume, then, that the court-martial which sat on the *Vanguard* thought there should be a Court-martial on Admiral Tarleton. I think I may say, too, that the House of Commons last Session, in the debate raised by my right hon. Friend the Member for the City of London (Mr. Goschen), plainly showed that that was its opinion; for of those who spoke on that subject, 10 were for a court-martial, and of these four were Conservatives; while six spoke in favour of the Admiralty, and three of these were official Colleagues of the First Lord, and only two spoke in favour of him who were not in the Government. Of the naval officers who spoke—and they were five in number—all thought there ought to be a court-martial, and three of them were Conservatives. Now, the Admiralty, in objecting to bring Admiral Tarleton to a court-martial, acted, in my opinion, unwisely; and I think I may say that if the First Lord had been a Secretary of State, with permanent heads of Departments, he would scarcely have taken the course he did. The laxity of discipline calculated to arise from having allowed Admiral Tarleton to go free may be illustrated by what occurred shortly after in the case of the *Monarch* and the barque *Halden*. The *Monarch* and the *Halden* were proceeding down channel, and the *Monarch*, a steamship, expected that the *Halden* would get out of the way, but the *Halden*, relying on the rules of the road at sea, kept on her course. There was a violent collision, and considerable damage was done to both vessels. The Admiralty paid a portion of the *Halden's* expenses, and the *Monarch* was three weeks under repair. I think if Admiral Tarleton had not been a late Colleague of the Lords of the Admiralty he would have been tried by court-martial; and I say, where there is any case of favouritism of this kind, where breaches of discipline are passed over, they are very likely to reproduce themselves. Take another case that occurred shortly afterwards in the Mediterranean Fleet. The *Raleigh* ran into the *Monarch*, I am inclined to think, in consequence of wrong signals, or of someone's not understanding signals. I come to this conclusion, because not long after the collision the Admiral in command of the Fleet, Sir James Drummond, issued an Order to the effect that the attention of officers was called to the necessity of making themselves thoroughly conversant with the signals used in evolutions under steam. Here, again, I may refer to Admiral Tarleton. He used a wrong signal under steam, and yet he was not to blame! But my main point is that these offices are filled for the benefit of naval officers; and I think the same feeling prompts the arrangements for designing our ships of war. The head of the Department is the Controller of the Navy. In the Memorandum explaining the Order in Council of the 14th January, 1869, it is said that he has to deal with "designs and classes of ships;" and my right hon. Friend the Member for the City of London (Mr. Goschen), in his reply to me in 1873, said—

> "The Controller has to advise the Admiralty from a naval point of view, and to state whether the designs of the naval architect can be depended upon."

Now, I can conceive nothing more difficult than the duties which fall upon the Controller. He has to settle what designs he will recommend the Admiralty to adopt. We all know the immense difference of opinion as to what our ships should be—whether they shall be long or short, broad or narrow, how they shall be armoured, the sort of guns they shall carry, and various other questions, demanding the greatest amount of skill and experience that can be brought to bear upon the subject. But how is the Controller selected? First, the Admiralty lay down a rigid rule that they will not have a civilian; so that the men best qualified for this office of designing our ships of war are all put aside, and a naval officer has to be selected. Formerly I know it would have been said the Constructive Department would keep the Controller from going wrong; but the Constructive

Department is not exactly what it was, and it can scarcely be depended upon to advise the Controller as it could a few years ago. Formerly, when my hon. Friend the Member for Pembroke (Mr. E. J. Reed) was Chief Constructor, I believe I am correct in saying that no advice was tendered to the Controller of any importance that was not at any rate approved by him. The Reports which were sent to the Controller were initialed by the Chief Constructor, and had his approval; but it is not so now. There are, I understand, three parties who can send Reports to the Controller—independent Reports. In his evidence before the *Megæra* Commission, Mr. Henry Morgan, the professional secretary to the Chief Constructor, said—"We are put in a sort of Commission;" and Mr. Barnaby, now the Director of Naval Construction, at the head, I suppose, of the Constructive Department, said—

> "When there was a Chief Constructor the Reports of the Assistant Constructors passed through and were initiated by the Chief Constructor. Now a large amount of the Reports goes direct to the Controller of the Navy without having my initials or immediate concurrence."

But even if the Controller of the Navy and the head of the Constructive Department were men of the greatest skill that could be obtained, still I should say there were objections to the arrangement for designing ships of war. Officers trained and kept in the same office are apt to run all in the same groove, and I think the Constructive Department will not be free from that objection; and it may be desirable to call in a little more of the outward world. But be that as it may, I agree with *The Times* of the 29th of November, 1875, that—

> "Each dockyard ought to be a separate institution with a local management, and with a separate body of Constructors. If a new design for a ship is wanted, each dockyard ought to be invited to furnish a design."

I may say that this is done in France. I have this upon the authority of the late Rear-Admiral Goodenough. He was sent to the Continent, I believe, by the Admiralty in 1872, or thereabouts, and he told a friend of mine that he was struck by our centralization. We had no designers, he said, in our dockyards, but everything was done at Whitehall; but at Paris he saw designs sent to the Minister of Marine from all the dockyards. There was competition, and in one case a design of the Assistant Constructor of a second-class dockyard was accepted. But not only have we these evils to contend with, but we have another. The Board of Admiralty meddle with matters that they do not understand. This was put forward by my hon. Friend the Member for Pembroke on the 9th of January in this year, when, writing to *The Times*, he said—

> "There are two or three ships now in the Navy designed by myself, in accordance with instructions from those who were above me in authority, some of the leading features of which I never approved, and the origin of which I never knew;"

and he adds—

> "Very many of the differences in our ships do not arise from causes such as may justifiably involve great sacrifices, but from fancy, from caprice, from divided counsels, from the competition of influences within the Admiralty—in a word, from maladministration."

This, I think, is a very serious charge, but I feel it would not have been made if the First Lord had been really and truly supreme, and if there had been permanent heads of Departments; for if there had been permanent heads of Departments, one would have been at the head of the *personnel*, and the other at the head of the shipbuilding Department; and I cannot suppose for a moment that if this had been the case the designs agreed to for constructing our ships of war would have been altered at the caprice and the whim of the head of the *personnel*. This, I think, is an extremely strong argument in favour of my Motion that the Board of Admiralty shall cease to exist as a Board, and that the subjects over which it has cognizance shall be managed by a Secretary of State and permanent heads of Departments. In fact, this system divides and destroys all individual responsibility, which is distributed amongst five persons, instead of being centred in one. I must here express my thanks to the hon. Member for Pembroke (Mr. E. J. Reed) for having given us such a very powerful illustration of the weakness of the present system. Evidence of the same evil influence which prevails in the Constructive Department is found in the Department for building and repairing our ships. There, again, a naval officer is selected, and civilians are rigorously excluded. I may observe, however, that over this Department the Controller has nominal control; but, practically, I apprehend the Surveyor of Dockyards now manages the several dockyards. This Surveyor of Dockyards is a civilian; but all the officers at the head of the several yards are naval officers. Now, most business men, if they had six or seven large establishments, and if they placed one man at the head of these establishments, and wanted him to manage them properly, and intended to hold him responsible if they were not managed well, would give him the power to select his agents. But it is not so with the Admiralty. That would be a too business-like mode of proceeding for them. They not only say the head of the dockyard must be a naval officer, and they will appoint him themselves, but they will not give the Director or Surveyor of Dockyards, whatever his name may be, the power of appointing his own agents. Well, these naval officers enter upon their offices without any experience, and they do not remain long enough in them to gain any. The average tenure of office is three years, and yet these naval officers who come to take charge of our dockyards are to have "full and complete control." I now quote from the "General Instructions" of July, 1875—

> "Full and complete control over all the officers and other persons employed in the dockyard, and to superintend and control every part of the duties carried on therein."

Well, this might be a very good order for a Superintendent who knew his business; but it is a mere sham to say that a naval officer, who knows nothing whatever of the various business carried on in a large shipbuilding yard, shall have "full and complete control" of "every part of the duties carried on therein." In fact, it is perfect nonsense. Now, to such an extent does the want of knowledge go amongst these naval officers in our various shipbuilding establishments, that *The Times*, on the 30th December, 1875, said—

> "The consequence is, that being deficient in the necessary scientific and technical training, the Admiral-Superintendent fritters away the time of the professional officers in endeavouring to comprehend the instructions which he is supposed to see properly carried out."

Now, these instructions are given in order to make somebody apparently responsible; but, in spite of the instructions, it is well known that the Superintendent is not practically responsible. And here I may, perhaps, be allowed to quote, or at least to give the pith of, a Memorandum which was written in 1867 by Sir Spencer Robinson, who was then Controller of the Navy, for the Lords of the Admiralty. In his Memorandum he says that the Superintendent has no personal or individual responsibility for bad work, for waste of money, for unthrift, for loss of time, or general negligence; he is equally without control over those through whose instrumentality he does the work, "he cannot promote, he cannot dismiss, he is checked by inadequate instructions." And this reminds me of what occurred at the Admiralty Committee in 1868, when the very gentleman who had written this appeared, and in the most able manner defended the system he had thus described. Loyalty to his chief, loyalty to the Board of Admiralty, obliged Sir Spencer Robinson to defend a system which he had placed on record as bad. Now, there is something besides loyalty to the Admiralty and loyalty to a chief, and that is loyalty to the nation. At any rate, I think I may ask the House, when official persons come forward to defend a system, to look sometimes with a little suspicion, and weigh well the arguments by which they support their defence. Well then, again, the Admiralty, appointing this Superintendent knowing nothing about the work that he is to superintend and control, endeavour to smooth his path by issuing orders from Whitehall. And very petty orders are sometimes sent from Whitehall. An instance of this may be found in the holes which were cut in the *Vanguard*. Orders were sent down by the Board of Admiralty directing that holes should be cut; and when the *Vanguard* sank, probably her passage downwards was hastened by the cutting of those holes. The Admiralty, of course, asked for an explanation. They wrote to their Superintendent. Well, that gentleman called upon the Engineer for an explanation. The Engineer gave an explanation, and the Superintendent did not think that explanation quite sufficient; but he did not feel that he might ask the Engineer for a further explanation, so he suggested that the

Lords of the Admiralty should do so. So that a man who is to have "full and complete control" is not able even to call upon an inferior officer for an explanation upon such a serious matter as this. As to the petty orders which I say are sent down from the Admiralty, I may mention that the Admiralty required that the coal-bunkers of the *Vanguard* and certain other ships should be ventilated; but, instead of sending to the manager of the shipbuilding yard an order simply to do this, they pointed out exactly how it should be done. The Admiralty, having no man at the head of the establishment whom they could depend upon, not only sent down an order, but sent down tracings, as to how the holes were to be cut. The order was sent, I apprehend, in the first instance, to the Superintendent's office; somehow or other it got into the hands of the Chief Engineer, and the Chief Engineer misunderstood the tracings and cut holes in the water-tight compartments of the *Vanguard*, the *Achilles*, the *Simoon*, the *Himalaya*, the *Swiftsure*, the *Sapphire*, and some others. He misunderstood the tracings; and one hardly knows which to blame most, the Admiralty that has such a system that it is necessary to send down such trifling orders, or the Engineer who has grown up in such system and pays such blind obedience to the Admiralty orders as to cut holes in the water-tight bulkheads of several of our ships of war. I apprehend that if an order had been sent down to cut holes in the bottoms of these ships, it would have been done. Well, this is not a very agreeable picture of the way in which our dockyards are managed; but there is another illustration, and a very powerful one, afforded by the blowing up of the *Thunderer*. Now, I attribute the explosion on board the *Thunderer* to the want of proper care and management. I believe there is considerable doubt as to the regulations with regard to the Steam Reserve, and the Captain of the Steam Reserve receives part of his orders from the Commander-in-Chief, and part from the Superintendent of the Dockyard; and the result is that there is a divided authority, and this leads to the want of proper care and management to which I attribute the explosion on board the *Thunderer*. I am aware the First Lord may say that there was a coroner's jury, and the coroner's jury came to a different conclusion—that the explosion was "due to the sticking of the safety valves, from the contraction of their metal seats." [Mr. HUNT: Hear, hear.] I hear the First Lord cheers that statement, and from that I apprehend it meets with his approval. [Mr. HUNT: Hear, hear.] In fact, I think that the whole course pursued by the Admiralty shows that he approved of it. The jury came to this conclusion mainly from the evidence of Mr. Bramwell, an eminent civil engineer; and he, I believe, came to his conclusion as to what was the cause of these valves sticking from certain experiments which he made upon 14 valves. He found that one of them stuck from this cause, as he supposed, and that the other 13 did not; and, therefore, there were 13 chances to one against the valves sticking from this cause. Mr. Bramwell said very candidly, in addressing the jury, that he had never known a similar occurrence, and that he had never seen anyone who had known of such an occurrence; that he had never read or heard of such an occurrence; and that all the scientific gentlemen engaged in the investigation were as much surprised as himself. Mr. Bramwell assigned five other possible causes which may make valves stick; and one was, if a valve was left in its seat without movement for a considerable time. Now, these valves on board the *Thunderer*—one of them certainly—had not been moved by hand for more than three years, and I think it is not impossible that the other valve had not been moved for a considerable length of time. I find the First Lord disputes that. [Mr. HUNT: They had been moved on the morning of the accident.] I know there was a man deputed to move one of the valves. The other could not be got at—neither of them could be got at except by means of a handle attached to one of the valves. The valves were placed in an iron box —I believe hermetically sealed—and one valve, as I shall prove, had not been knowingly moved for more than three years. As to the other valve, the handle had been moved, and it was reasonable to expect that the man who had moved it thought he had moved the valve. But what says the Assessor who was deputed to aid the coroner in the discharge of his duty? As to that, he says—

> "The man who tests the safety valve may be deceived, and leave a safety valve stuck fast on its seat when he thought he had raised it and left it free."

That is Mr. Lavington Fletcher's opinion; and, therefore, I hold that it is not wholly improbable that neither of those valves had been moved, and that that was the cause of the explosion. But, at any rate, it is clear that both valves ought to have been moved. If you have two means of safety, it is not wise to neglect one altogether. But whose duty was it to look to these valves? I think it was the duty of the Board of Admiralty. In a letter to the contractors on the 5th of April, 1873, the Controller says—

> "The Portsmouth officers have been directed to relieve you of the expense and responsibility of keeping the engines of the *Thunderer* in order from the present time until they are properly tried and accepted."

Therefore, until the Admiralty had accepted these engines—they had not accepted them up to the time of trial—they were responsible for them, and for doing everything that was necessary from time to time. Well, then, of course the officers are responsible; but which of them? There is no manager of the dockyards. The Superintendent is not responsible. Who, then, is responsible? The Captain of the Steam Reserve was examined, and he said "he had been told" that the safety valves were taken out while he was in command, and their weights weighed during the time he held that position; but the work did not come under his personal cognisance, and he had not examined the engines—it was no part of his duty. The Chief Inspector of Machinery Afloat —and the *Thunderer* was afloat—said he never opened the safety-valve box during the three years, because the engines of the *Thunderer* were never "in the Steam Reserve proper." What Mr. Oliver thought when he said that, I cannot tell. What distinction he drew between the Steam Reserve and "the Steam Reserve proper" is confined in his own breast. The Chief Engineer of the Dockyards, who has instructions to examine "prior to all trials at the mile," was not called. The only evidence was that of Watts Thomas, an engineer of the *Thunderer*, who "recollected a man named Wilkins from the dockyard" coming in May, 1873. So that, although 45 men were killed by this explosion, and many more most likely maimed for life, no one was responsible for it. The Admiralty cannot say who is responsible for it—at least, we have yet to hear it. Now, this shows the folly of dealing with large establishments by petty instructions. These special instructions for moving these valves are sufficient in ordinary cases, when a vessel is sent to Portsmouth and is tried almost immediately afterwards. The valves are taken out, and then there is no doubt that they will move freely in their seats; but the *Thunderer* was three years and more before she was tried on the mile. When she went to Portsmouth, her valves were taken out and measured and weighed, and if she had gone then on the measured mile, no doubt they would have acted freely, and I believe there would not have been any accident. But she was, as I say, three years without having been tried; and, therefore, certainly one valve had not been moved, and posssibly the other had not. But I not only think there is fault in the Admiralty in not having made better arrangements for the moving of these valves, but I think considerable blame attaches to them for not having ordered an inquiry subsequently. The mode in which the inquiry was conducted was certainly not such as to justify any great confidence in the result. The coroner who presided at the inquest was the same gentleman who presided when the *Alberta* ran down the *Mistletoe*. He was the Admiralty Agent then, and he was the Admiralty Agent at the time of the inquest on the bodies of the men killed by the explosion on board the *Thunderer*. He required some one to assist him, and he selected Mr. Lavington Fletcher. This gentleman was paid out of the funds of the Home Office. Mr. Bramwell, a civil engineer, appeared on behalf of the Admiralty. I say "on behalf of the Admiralty" because, although he was first introduced as an independent witness, it was subsequently found that he was retained by the Admiralty and paid by the Admiralty, and therefore acted in the relation of counsel to his client. Well, there were five gentlemen named by the Admiralty to investigate the cause of this explosion, and there were five gentlemen named by the contractors; and Mr. Bramwell and his assistant were added to this Committee. Therefore, there were 12 persons engaged in investigating the causes of the explosion, and seven of them were named by the Admiralty. Mr. Bramwell appeared before the jury to give the jury the result of their investigation; and I think the First Lord admitted, when he answered my Question a few days since, that Mr. Bramwell had professed to give the result of this investigation—that he spoke the sentiments of the gentlemen who had investigated the cause of the disaster. Well, the jury on this came to their verdict. They were of opinion—they had a right to be so—that there was no difference of view among the scientific men who had made these investigations. For the counsel for the Admiralty said Mr. Bramwell laid before the jury the results of the investigation. Mr. Bramwell's evidence occupied three days, and he spoke generally about machinery, and about the machinery of the *Thunderer* in particular. The pith of his remarks was that the valves stuck in consequence of the contraction of the metal seats. Nobody was called upon after Mr. Bramwell to give evidence except the assistant of Mr. Bramwell, and a member of the Admiralty Boiler Committee. The other witnesses were not called. The jury then, believing that the 12 gentlemen of the Committee were all of one opinion, and having no contrary opinion before them, came to their verdict that the valves stuck because of the contraction of their metal seats. But, two or three days after the jury gave their verdict, a letter appeared in *The Times* signed by two of these gentlemen, Messrs. Bourne and Hide, stating that they differed from the view that Mr. Bramwell had put before the jury. Well, it may be said that this was after the result; but then there is evidence to show that before the verdict was given the persons responsible for conducting the inquiry knew that there was a difference of opinion amongst the Committee; for, in the written Report of the Assessor, Mr. Lavington Fletcher, it is said—

> "Mr. Bourne has suggested that the excessive pressure in the boiler may have been due not so much to the valves being bound fast in their seats by adhesion as to being blocked down in the following way:—He concludes from the marks on the valve spindles that one of the spindles was broken prior to the explosion, and that that getting out of place may have jammed down its own valve, and at the same time the weights upon it may have so fouled those upon the other spindle as to have kept the other valve from rising also. In this way he thinks both valves became locked fast. On this point it may be well for Mr. Bourne to make his own statement."

Now, this Report was in the hands of the coroner before the jury gave their verdict. Mr. Bourne was never called, and the Report of Mr. Fletcher was never laid before the jury. Therefore I say that the Admiralty ought, in my opinion, to have ordered another inquiry, to ascertain what was really the cause of the valves sticking. Mr. Bramwell said the valves might stick from the bending of the spindle; therefore, even Mr. Bramwell's evidence goes to prove that Mr. Bourne was possibly right. But, be that as it may, Mr. Bourne ought to have been called before the jury gave their verdict, and as this was not done the Admiralty must bear the responsibility of having been aware of these facts and yet having ordered no inquiry. I believe if the First Lord had been acting alone as a Secretary of State, he would have ordered another inquiry. I feel convinced of this—that men acting in a body very often do what they would not do individually. Well, now, the reasons given for defending this system have been two. It has been said that the shipbuilding work and the repairing work in our naval yards do not constitute one-half of the work done in the dockyards, or perhaps more than one-third. I may dispose of that simply by quoting the number of men there are employed in shipbuilding and repairing in our factories and yards. I find that in 1874-5—I have no more recent statement—the First Lord, in moving the Navy Estimates, gave full details as to the different classes of men employed in the different yards, and the sum total was 11,388 in building and repairing and factory work, and 2,912 in other work. Therefore, I assume there are four times the number of men employed in shipbuilding that there are in other work. Another reason given why naval officers should be at the head of our shipbuilding yards is this—that they know more about the fitting of ships. Well, if it is necessary to have a naval efficer at the head of a dockyard because he knows more about the fitting of ships, it is somewhat singular that the Admiralty should put over all the naval yards a civilian, who knows nothing about the fitting of ships. I believe there are men in this House who have built ironclads for foreign Governments, and have done it without the assistance of naval officers. From an Instruction issued in 1875, I find that the Superintendent is to take care that "all orders issued by our authority relative to the mode of dealing with the fitting of ships be strictly complied with." I apprehend that there are the most precise directions as to the fitting of ships, as well as to the other duties; but whatever other duty there is to transact in the Admiralty shipbuilding yards, it must be small and petty compared with that of building and repairing. It is no use trying to disguise the fact that the system has been devised by naval officers and got up by naval officers in the interests of their own particular class—not of the Service, but of a few eminent and distinguished naval officers. Well, but perhaps the First Lord may say—"This is all mere reasoning. Let us look at the results—see how the Navy is managed." I am content to abide by that test; I would ask whether the Service, in its wide sense, comprising all that belongs to it, is contented? Are the officers contented? Are the seamen contented? It was only last year that my hon. Friend the Member for Reading (Mr. Shaw-Lefevre) brought forward a Motion with regard to the great number of desertions, showing how much they were increasing. Are the Marines contented? There was a Motion last year by another hon. Member (Mr. S. Lloyd) showing that the Marines were exceedingly dissatisfied, and I do not think their position has been improved since. Are the Engineers contented? I leave that question to my hon. Friend the Member for Pembroke (Mr. Reed), who I believe will second my Motion. Is there a single class under the Admiralty Administration of which you can fairly say it is contented? And then, when we come to our ships, are they efficient? I am sorry to say I shall be obliged to trouble the House with rather a long list of breakdowns. I see that the First Lord smiles. It has been said before that he generally takes a very genial view of almost everything, and I have no doubt he may do so on this occasion. I have spoken of the *Vanguard*, and I have said a few words about the *Thunderer*; but I will now take a few of the disasters, or "mishaps," as they are called, that have occurred during the last 16 months, and to these I pray the First Lord's attention. In November, 1875, the *Iron Duke* almost sank on her trial trip because her sluice valves were wrongly marked. In January, 1876, the *Assistance* nearly sank at sea, having a large hole in her hull, till then unnoticed. [Mr. HUNT: Where?] I quote from *The Examiner* of September 30th, and *The Broad Arrow* of November 11th. The First Lord will find the particulars in those two papers. Well, about the same time the *Rover* broke down on her trial trip; and in March, 1876, the *Valorous* broke down on leaving port. [Mr. HUNT: March, 1876?] In March, 1876, the *Valorous* broke down, so it is said. The *Opal* has been in constant trouble from failure of engines. She had a narrow escape from the *Monarch's* ram, was once ashore at Ascension, twice ashore in the Straits of Magellan, and is still unreliable after repairs at Valparaiso. That I quote from *The Broad Arrow* of the 16th October, and *The Times* of February 27th, 1877. In June, 1876, the *Hydra* exploded a boiler, killing one engineer, and injuring several others; and in July, while at full speed, her engines were totally disabled. From June, 1876, to January, 1877, the *Shah* was detained by constant failures of machinery; from July to February the *Alexandra* was useless from similar causes. In August, 1876, the *Orontes*, with new machinery, broke down; she was repaired, and in October her crank shaft was found cracked. She was sent to the East with troops in this state; and last week (February 27th) news was received that she is detained at Singapore from defects in machinery. She should have left on January 25th, but is now delayed indefinitely. In August, 1876, the *Boadicea* broke down on her trial trip, and had to be towed back to port. In September, 1876, the *Danaë* was commissioned, and has been useless ever since. Her boilers primed, her engineers were "fairly beaten," the crew were ordered to the *Torquoise*. The *Torquoise* also broke down, and the crew went to barracks, and the *Danaë* into dock. In November, 1876, the *Favourite*, having dangerous boilers, was towed round from Scotland by the *Malta*; both broke down, and other help had to be sent. In December, 1876, the *Invincible*, when about to be re-commissioned, was found with all four cylinders cracked beyond repair. Well, then, we find that in six months there have been eight ships disabled —the *Hydra*, the *Shah*, the *Thunderer*, the *Alexandra*, the *Boadicea*, the *Invincible*, the *Danaë*, and the *Shannon.* In February *The Times* reported on one day 11 vessels broken down from defects of machinery, of which 11 only 4 have been mentioned in my list. Now, this is a long catalogue of disasters, but I could add many more; and I have no doubt the First Lord would say they are some of them very trifling cases. No doubt they are; but, at the same time, it is very serious that six or eight of our first-class iron-clads should be incapacitated during a year of peace. And I think what makes it so painful is that there is no necessity for all these breakdowns and all these mishaps. The ordinary care and skill which are displayed in many of our private establishments, if they were equalled in the Admiralty Department, would prevent a great portion of this, if not the whole. The First Lord, I think, will scarcely say it was impossible to make arrangements which would have prevented these people from cutting holes in the *Vanguard;* or that it was impossible to make arrangements by which the valves of the *Thunderer* could have been moved; and many other matters of this sort. I very much doubt whether he will say it was absolutely necessary to appoint an Admiral to command the Reserve Squadron who had never been at sea, with the exception of a few months, for 16 years, and had never commanded an iron-clad in his life. All this, I think, should call his attention to the state of our Navy now. So many breakdowns, I may be allowed to observe, form a very striking contrast to the state of things some 60 or 70 years ago. I read two very able articles on the subject about six months ago, one in *Fraser's Magazine* and the other in *The Quarterly Review.* At that time, as they said, the word "collision" was not in our seamen's vocabulary, and people went to bed quietly and comfortably, feeling assured that the Navy of England they might rest upon with perfect security. Then we could rely upon our ships to blockade the enemy's ports, even with an inferior force, being off those ports for months together in stormy weather, never being driven ashore, and never driven away so that the vessels of the enemy could pass out. How different is the state of the Navy now! We do not take up a newspaper without seeing that some ship of Her Majesty's Navy has been disabled. The First Lord might perhaps say that, with reference to the comparison with 60 or 70 years ago, we now have steam, and that it is more difficult to manage. Just look at what some of our steamship companies can do. I remember reading at the close of last year an address given by the chairman of the Peninsular and Oriental Company, in which he said that they had, I think, some 65 steamships of 21,000 horse power; that those ships had traversed during the last 12 months 1,650,000 miles without loss of life, without any accident worth naming, and with an entire immunity from maritime disaster. The chairman further went on to say that no dispassionate person could say this was the result of chance. It was due to the excellent system of ship management. There was an article some time since in *The Times* with regard to the Cunard Company. They had 49 ships, and in 12 months they conveyed 80,000 persons, passengers and crews, between England and America alone; and during the 50 years the Company had been established they had only injured bodily two persons on board their ships, and the juries acquitted the Company of blame in both cases. *The Times*, which gave this statement, went on to say—"This is sometimes described as luck, but no person and no firm is ever continuously lucky for 50 years." Would that the Admiralty could say the same as these great steamship companies! Now, it sometimes is easy to point out a fault, but it is not quite so easy to say what the remedy should be. But in this case I do not think there is any difficulty in making the remedy clear. There is no very high order of statesmanship required in the office of the First Lord of the Admiralty. He has not, like the Foreign Secretary, to deal with very difficult questions of diplomacy. All we want of the First Lord is that we shall have a powerful Fleet; and I would say that in order to obtain this we should do away with the Board of Admiralty, where the responsibility is frittered away by being divided amongst five Lords; and let us have one head. The evil is clear of having a Controller and Superintendents of Dockyards who are ignorant of their business. The remedy is equally clear in having men of skill and experience in their stead. The evil is that of trying to manage large business establishments by written instructions, by telegrams, by letters. Instead of these let us have each dockyard complete in itself, under a skilful and experienced manager. Then—and not until then—shall we have a Navy we can depend upon, and ships that we can send anywhere to do what we require of them. The hon. Gentleman concluded by moving his Resolution.

Mr. E. J. REED said, he rose to second the Motion of the hon. Member, although he was not able entirely to concur in many of the remarks which his hon. Friend had made. He proposed to base the fabric of the observations which he intended to offer on this subject upon one fact, and that fact was the altered condition of the British Navy at the present time from what it had been in the past. On Saturday last the right hon. Gentleman the Secretary of State for War had said at the Royal United Service Institution that—

> "When, we read, as we did the other day, of the *Alexandra* going to sea with 35 engines on board, I say that it makes me feel perfectly bewildered. I am sure that no man could properly take part in the management of a ship like that without being possessed of an amount of scientific knowledge which must be gained not only by the study of works bearing on the subject, but must also be fortified by actual and considerable experience. We shall have to educate ourselves for that, and not only for that, but you will have to go to your Engineers for works of which you have now no conception."

Those observations of the right hon. Gentleman the Secretary of State for War would form the key-note of the remarks which he himself now proposed to address to the House. Iron-clad ships differed from the old ships which composed the Navy in almost every particular. These vessels were not only built of different material, but were subdivided into a large number of compartments — larger, probably, than many persons supposed. In some of our vessels there were more than 200 compartments. All these compartments were furnished with valves and contrivances to separate them from each other, all of which had to be made familiar to the minds of the officers entrusted with the charge of the ship. Then, again, the methods of pumping, upon which the safety of a ship often depended, were very complicated, and the steam engines on board were not only, as he had indicated, numerous, but demanded on the part of those who were responsible on board an intimate knowledge of their character and mode of application. The armaments of the ships were also extremely different from what the armaments of our vessels used to be. A great deal of machinery was required to work the guns in these ships. All that being so, the question which he invited the House to consider was this—had the great change which had occurred in the constitution of our Naval Service been fully realized and acted upon by those who had been entrusted with its management? For himself, he did not think that that change had been sufficiently recognized and acted upon; and the consequence had been that the Navy of this country was not now in anything like the satisfactory condition in which it might have been if various causes, some of them traditional and all of them associated with the rules of the Service, had not stood in the way. That the altered state of things had not been sufficiently recognized he would now show by one or two facts. And, in the first place, he desired to refer to the position of the Admiralty Office at this moment. In doing so he must make a momentary allusion to the Navy Estimates for the present year, which had been placed in the hands of hon. Members, though he did not think those Estimates differed materially from the Estimates of last year in reference to the point he was about to mention. In those Estimates they would find that the total provision which the right hon. Gentleman made within the walls of the office at Whitehall for the control and management of the Royal Navy was the appointment of one Engineer officer at £900 a-year salary. But if he should be told he had excluded out-door officers, who ought properly to be considered as upon the Staff, he would extend his figures and say £3,000 a-year was the total outlay for Engineer officers within the walls of the Admiralty. While they found that one Engineer officer had the control of the whole machinery of the Royal Navy at a salary of £900 a-year, they would find there were seven admirals at salaries amounting to £13,300 a-year to manage naval affairs. The inference he drew from that was, that it was perfectly idle for hon. Members to complain that the machinery of the Admiralty was badly designed, badly constructed, and badly managed, because no one could seriously suppose that one officer, with a salary of £900 a-year, could exercise the control that was required. The difference between £13,300 for the seven admirals and the £900 for the one Engineer officer was so great that he thought it would strike the House with considerable force. He did not wish in the least degree to imply that there were too many admirals, or that they were paid too much. But his argument was, that if they required £13,300 for admirals within the walls of the Office, they required more than £900 for an Engineer officer to take charge of the machinery. If they passed from Whitehall and went on board the ships, what was the state of things they found there? He would take first the officers, and he would select for the purpose of his argument two ships now in commission, the *Newcastle* and the *Devastation.* The *Newcastle* was a wooden frigate, with one set of engines to propel her, and with the ordinary full rig and spread of canvas. The *Devastation* was a ship without a mast or sail, and was as unlike ships of the olden times as any construction man could contrive, teeming with machinery and mechanical appliances, all of which required to be understood. Let them refer to the *Newcastle* and the *Devastation* in *The Navy List*, and they would find their officers exactly the same in every respect. There were no more officers on the one than on the other, except that on the *Devastation* they had two or three more of the lower class of Engineers. Under these circumstances, he contended that the present system of officering their ships did not reflect the altered condition of the times in which they were living. But were things any better when they proceeded to examine the manning of their ships? He recollected that many years ago the Duke of Somerset, the then First Lord of the Admiralty, had spoken to him of the necessity there was of training a class of men for service on board our iron-clads. The views of the noble Duke, however, had not been carried into effect, and the result was, as appeared from a statement in a newspaper during the past week, that a number of carpenters from Chatham Dockyard had been obliged to be sent on board the *Alexandra* as part of her crew because there were no regularly trained men to fulfil the duties they would be called upon to discharge. In the machinery department it was just the same. The Admiralty could not, and did not, provide the engine-room artificers which were necessary for the care of the engines. All these deficiencies arose from the fact that the Navy was managed by a system of routine which did not compel Ministers and Executive officers to open their eyes to the age in which we lived. There was another branch of Admiralty administration the unsatisfactory condition of which was equally striking — namely, that which related to the education and training of our Naval officers. The right hon. Gentleman had not said a word as to the education which our Naval officers should undergo in order to fit them to take charge of our iron-clad fleet. The right hon. Gentleman the Member for Pontefract (Mr. Childers) perceived the necessity of taking some steps in this direction, and in 1869 he appointed a Committee to draw up a scheme for their education. The Committee appointed by the right hon. Gentleman, however, from its constitution, was not in the least degree capable of giving practical advice to the Admiralty upon the subject.

MR. CHILDERS explained that that Committee had only to deal with the education of the naval cadets of 13 years of age.

MR. E. J. REED said, that they were, at all events, to be taken into the Navy. The right hon. Gentleman afterwards appointed a Committee which had not to deal with the education of boys of 13, but with the higher education of Naval officers; and here he must remark that he trusted that what he was now saying would not be taken as an undue criticism of what had taken place, but rather as a suggestion for the future. He maintained that the Committee to which he had just referred did not comprise one individual at all competent, looking at his antecedents, to direct the mind of the First Lord of the Admiralty as to the proper course of study which our Naval officers should pursue. The same kind of things was still going on at the present time. The right hon. Gentleman the present First Lord had he thought, very properly, determined to build a College where naval cadets should be educated. It was necessary that part of their education should be devoted to their becoming acquainted with the machines with which they would have hereafter to deal. The right hon. Gentleman appointed a Committee with reference to the College; but he never said a word about this at all, with the single exception that the last of the points to which he drew attention was that the College should, if convenient, be in proximity to a naval port. From the proposed site at Mount Boon the cadets would have to go to Devonport to become practically acquainted with the immense machine they were in future to command. Could any change for the better be expected under the existing organization of the Admiralty? The Managing Board of the British Navy now consisted of two Members of the House and three admirals. That, he contended, was not sufficient, and showed that the altered circumstances of the new Service had not been properly considered. It was not impossible that he might be told that the First Lord of the Admiralty was a supreme Minister. If that were so, the Warrant under which the Board of Admiralty was constituted was a fiction and a sham; and if it were not so, then he objected to the First Lord having Colleagues who had no opportunity of discharging duties they were expected to perform. He had himself realized the difficulty in this matter. During the time that he held the office of Chief Constructor of the Navy, the times in which he came into personal contact with the First Lord on questions of the construction of ships were extremely rare. In his post he always felt a considerable distance from the fountain of power and responsibility. They had been told, in previous discussions on this matter, that the management of the Dockyards had been found to work very well, and he had no doubt the Admiral Superintendent of any one of these establishments would, with perfect innocence, express his surprise on being told that everything was not going on well. Of course, the mechanical officers of a Dockyard did not complain to the very person who was the embodiment of their grievances. The remedy for this state of things was very simple, and it was embodied in the Motion of his hon. Friend. They had no desire to interfere with the details of the Naval Service. What they wanted was some one sitting on the Treasury Bench who should be responsible to the House when any great mishap occurred, and who when any succession of disgraceful mishaps occurred, should be asked to resign his post in favour of some one else. He might have assistants from the various branches of the Naval Service to advise him. There should be a Secretary of State for the Navy, who should have, in the first place, a Parliamentary officer connected with him. Then he should have an admiral responsible to him for the good condition and satisfactory performance of the entire commissioned Navy. He should have another responsible to him for the whole of the Naval Reserves. He should have another officer responsible for the whole construction and management of the ships and engines, and another who should be responsible for the finances. This would not deprive the Naval Minister of the power of assembling his officers and consulting them when occasion should arise. So strongly did he feel on this subject that he was convinced that responsibility for the construction of the Navy there was none—that it was a gross absurdity to speak of it. There was absolutely no one who if a ship were designed ever so badly was responsible for the fact, or who, if an engine were ever so defective, could be held responsible. With what conscience could they go to the Chief Constructor of the Navy and tell him that he was responsible, when a naval officer had been put over his head? Would he not very naturally say—"Give me the *prestige* of the office if you seek to give me its responsibility." If they had a Secretary of State, with a number of skilled advisers—heads of departments—they would not have to complain of the absence of responsibility. The present condition of things was extremely unsatisfactory. His hon. Friend had detailed a number of accidents which had occurred; but he was thankful to say he did not think it necessary to his argument to rely on those accidents. He took them to be the ordinary growth of the existing system, and if the House remained content with the Board of Admiralty, which could not manage because it did not know intimately of what the Navy consisted, they must expect such disasters. He did not desire that they should make any sudden or violent change in the way of forcing mechanical officers into the position of great eminence. There was this difficulty in the way of doing so—that there was but a small supply of such officers, and that was the defence the Admiralty set up. But that small supply was one of his greatest accusations against the Admiralty. In the Estimates the House would see the large amount that was to be expended in the building of vessels whose construction must be perfectly mysterious and inexplicable to those who were not thoroughly and practically acquainted with them. If it was worth while to build such vessels, surely it was the duty of the Admiralty to provide qualified men to work them both in peace and war? The House should remember that they were in a position of transition. He did not state those views by way of finding fault. His object was, if he could, to arouse the Government to a sense of the actual position in which this vitally important matter now stood. It was perfectly discreditable to us to allow naval officers to remain ignorant of the duties they would have to perform. He remembered on one occasion having a carpenter appointed to an iron-clad, and who became acquainted with the duties which would be required of him in such a ship; but he was invalided the night before she sailed, and his successor was a man who had never seen an iron-clad before. Such things were discreditable, and must end in grave difficulties if the evil was not remedied. He did not know whether his hon. Friend intended to divide on his Motion. Probably he might think the House was not altogether prepared to vote on the large propositions contained in the Resolution, and be content with the discussion of the questions they involved; but if his hon. Friend went to a division he would think it his duty to go into the Lobby with him. He hoped the right hon. Gentleman the First Lord would distinguish himself by taking the lead in the reforms that were necessary.

Motion made, and Question proposed,

"That this House, in order to remedy certain defects in the Administration of the Admiralty, recommends the Government to take into consideration the propriety of administering that Department by means of a Secretary of State:

"That this House further recommends the Government to take into consideration the advantage of appointing to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards persons who possess practical knowledge of the duties they have to discharge; and of altering the rule which limits their tenure of office to a fixed term."—(*Mr. Seely.*)

CAPTAIN PIM asked permission of the House to withdraw a Motion which he had on the Paper, as an Amendment to Mr. Seely's Motion, to leave out all the words after the word "That," and in lieu thereof to insert the words—

"Before recommending the Government to make any change in the administration of the Admiralty, or in the appointments to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards, it is desirable that a Select Committee be appointed to inquire fully into the present Admiralty organization and its system of departmental and general administration of the affairs of the Navy, as well as into the actual condition of the Navy and Maritime resources of the Country, to ascertain how far they meet the requirements of the Empire; and also into the administrative arrangements made by the First Lord of the Admiralty to insure the efficiency of the Naval Service, upon which depends the welfare and safety of the Kingdom."

MR. D. JENKINS said, the House had a right to expect that everything possible should be done to avoid disasters at sea, a great portion of which were attributable to the want of ordinary skill in the navigation of our ships at sea. The loss of the *Vanguard* and of many other vessels was to be attributed to that cause. One great cause of this want of knowledge was the fact that junior naval officers did not spend more than one-third of their time at sea, and the same observation applied to those who were higher in command. They could not expect young officers to perform their duties in a satisfactory manner unless they had continuous practice at sea. If he remembered aright, one of the officers who was examined as to the cause of the loss of the *Vanguard* stated in his evidence that out of the three years he had held his commission of lieutenant he had only spent 14 or 15 months at sea. It was unfair to expect of officers so circumstanced that skill and judgment which it was necessary they should possess and which they could not attain unless they were given the means of acquiring a thorough acquaintance with the duties of their Profession. He could not altogether agree with the observations made by the hon. Member for Pembroke (Mr. E. J. Reed) as to the ignorance of naval officers in respect of the construction of their ships. He did not think they were so ignorant as the hon. Member supposed. Certainly, officers of the Mercantile Marine were not. Again, much had been said with regard to the duties of Engineer officers. Well, he had commanded steamships himself, and knew what those duties were. They were onerous and responsible, no doubt; but he maintained that the responsibility of those officers was nothing compared with that of the commander or the lieutenant of a ship. A greater amount of responsibility rested on the shoulders of the two able seamen who kept a look-out on a dark night. In fact, the responsibility of those on deck was greater than of those in the engine-room. There was a kind of freemasonry about engineers. They thought that no one knew anything about marine engines but themselves. He should, however, be sorry to think that naval officers were ignorant of the working of marine engines. Before he took command of a steam vessel he had mastered the details of marine engines and passed a voluntary examination on the subject, and he could not believe that the commanders of ships of war were unacquainted with the working of marine engines. What was required was an alteration of the system to which he had alluded, of allowing officers to remain for such long periods on shore, for he believed that a great number of such accidents as they had heard of could be avoided if officers had the advantage of continuous sea service. He was of opinion, too, that ships while cruising, as the *Vanguard* was when she was run into, should be provided with experienced coasting pilots, from whom the senior officers could obtain assistance and the junior officers instruction. The accident to the *Vanguard* would, he believed, have never occurred if each ship of the Squadron had had an experienced pilot on board. Perhaps we could be less concerned about gunboats than iron-clads; but with an iron-clad worth about £500,000 every precaution ought to be taken to insure safety. If the hon. Member went to a division he should be happy to support him.

Mr. BENTINCK said, he had endeavoured on former occasions to induce the House to act on the opinion he had long entertained, that the great cause of the misfortunes which occurred in the conduct of the business of the Admiralty was the wrong construction of the Board and the faulty practice of placing at the head of it a civilian who could not understand the duties of his office. He did not disparage the great abilities of many of the First Lords, but he regretted that their talents were not employed more beneficially for their country. A First Lord was not in his position long enough to acquire the necessary knowledge for the discharge of his duties. An anomaly so glaring and absurd did not admit of argument and it must come to an end. He believed that the loss of the *Vanguard* might be traced to the civilian government of the Admiralty, and also that the other casualties which had occurred about the same time were attributed to that cause. With respect to the proposition that there should be a Parliamentary authority, as a Secretary of State, he thought that would be an improvement on the present system; but if such authority should be appointed, there ought to be a stringent provision that he should never go near the Admiralty, and should be a medium of communication between the Admiralty and the House of Commons, and not interfere in any manner with the conduct of the Navy, otherwise the present evils would be perpetuated and such appointment would do more harm than good. He believed his views were shared by a majority of the House, and would have been adopted long ago if it had not been for the reluctance of the two front Benches to give up the patronage connected with the Admiralty. The struggle between the civilian and the nautical element was seen in the design and construction of ships, which were not of the class we required. We had not three ships that were capable of making a voyage round the world under sail and reserving their coal for an emergency; indeed, some of them had no masts and were mere floating batteries, propelled by steam, and unmanageable without it. We had too many *Devastations* and too few *Newcastles;* and we required more of the nautical element in the Admiralty to devise the kind of ship that could be properly handled under canvas, and that would be a useful vessel, adapted to meet the requirements of the British Navy. He trusted they would receive some assurance from the Government that these points would receive more attention in the future. Several large Committees had been appointed to consider this subject, of more than one of which he had been a Member, and every one of those Committees had recommended that the constitution of the Board of Admiralty should be re-considered. Until, however, the time came when the country took more interest in the condition and administration of the British Navy, the evils of which his hon. Friend the Member for Lincoln (Mr. Seely) complained were likely to be perpetuated.

MR. BAXTER must admit that he took very little interest in the first part of his hon. Friend's Resolution. He had never seen the importance of this Board question, and he cared very little whether the Minister at the head of the Admiralty was called a First Lord or a Secretary of State. He must have a certain number of advisers, both naval and civilian, and it was immaterial whether they were called a Board or not. His hon. Friend the Member for Pembroke (Mr. E. J. Reed) had given them a sketch of what he considered the proper method of carrying on the business of the Admiralty, and according to him the present mode was either a sham or something worse; but from his own experience as Secretary to the Admiralty he could say that the business meetings of the heads of departments were more frequent now than ever they had been before; and he considered it due to the right hon. Member for Pontefract (Mr. Childers) and the Lords of the Admiralty during his time to bear his testimony to the good working of the Board. He agreed with his hon. Friend the Member for Pembroke that for the future it would be desirable that the mechanical genius of the country should be better represented on the Board of Admiralty, or in Whitehall, whether the Admiralty business was conducted by Board or not. He could not get up any enthusiasm for the first part of the Resolution of his hon. Friend. It had reference to a mere matter of nomenclature; and if the question before the House had merely been whether the First Lord should be called a Secretary of State he should not have taken part in the discussion. He, however, was anxious to say a few words, as he felt strongly, upon the other part of the Resolution of the hon. Member for Lincoln. That was a very different matter, and to his mind was the chief of all the difficulties in the administration of the Admiralty, because it went to the very root of the sources of that dissatisfaction and discontent with dockyard management which existed in the minds of the people of this country. The fact was notorious that no matter what Government was in office, whether they were Conservatives or Liberals, mistakes of a most wonderful nature, of a most startling character, had been constantly made in the Royal Dockyards—mistakes which he agreed with his hon. Friend would be considered amazing in connection with a private trade. They had all known of vessels of a most powerful character, costing enormous sums of money, being found defective on the occasion of their trial trips. They all knew that a great number of their ships had been discovered to require very serious repair after they had been a comparatively short time at sea. They all knew that men-of-war were sent to sea out of the Royal Dockyards which, although not very old, were found to be unseaworthy; and he ventured to say that in the history of steam navigation there had been no such accident, lamentable as it was in its loss of life and discreditable as it was to some persons, as that which occurred on board Her Majesty's ship *Thunderer*. He himself had seen, whilst he had held office, many things at the dockyards in the administration and working of the yards which had produced a very unpleasant impression upon his mind, although he did not think it would serve any good purpose to recapitulate them now. This was not the fault of individuals, but the fault of the system, to which he believed the latter part of the Resolution of the hon. Member for Lincoln would apply the proper remedy. He had never before said a single word on this subject; but he wanted now to state that, having carefully read and listened to what had been written and said upon it, and after some experience at the Admiralty, he was never more thoroughly convinced of anything in his life than that the work of the Royal Dockyards would never be properly done, unless, in the words of the Resolution of his hon. Friend, persons were appointed, not as subordinates, but as Superintendents, "who possessed a practical knowledge of the duties they had to discharge."

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. BAXTER, in continuation, said, he was surprised that any hon. Member should have moved that the House be counted when such an important subject was under discussion, as he must have known that there were many more than 40 Members present in and about the House; besides, Her Majesty's Government had not yet spoken upon the subject. He was about to state, when interrupted, that there was a large amount of opposition, jealousy, discontent, and bad feeling existing between the naval officers who superintended the dockyards and the civilians there, which was positively detrimental to Her Majesty's service. That jealousy and ill-feeling might not be very apparent to casual observers and visitors, but he knew that it existed, and his hon. Friend's observations on this part of the subject were not a whit too strong. He was opposed to the principle of rewarding good service, either on the sea or in the field, and whether rendered by officers or men, by sailors or soldiers, by giving them appointments which were not very much in their line. It would be greatly to the benefit of the Service if officers whom it was thought desirable to reward were offered a grant of money instead of being appointed to positions they were not fitted for. Not one naval officer in 20 appointed to take charge of the dockyards knew anything about the building or repairing of ships, although those men thought it necessary to interfere in such matters. He firmly believed that the presence and position of those officers in the dockyards had a deterrent effect in preventing men of higher standing and knowledge as master shipwrights from entering the public service. Each of those yards should be regarded as a great manufacturing establishment, over which there should be a manager who understood not one branch, but all branches of his business. But he would not exclude the naval element altogether. It was highly important and necessary that there should be naval advice, and there was nothing that he saw to prevent a Commander-in-Chief of a station, or where there was no Commander-in-Chief, the Admiralty, from appointing an assessor to assist the superintendent of the yard. He admitted that at the outset it would be difficult to get gentlemen of sufficient standing to occupy posts such as those of superintendents; but he was satisfied that the proposal of his hon. Friend ought to have a fair trial, because he had never met with a man of business who thoroughly understood the working of a great manufacturing establishment and who had also seen what went on in a dockyard who did not entirely disapprove of the present system. Besides, the second part of the Motion offered the most practical suggestions to the House which had been before them for a considerable time. Before sitting down he desired to say a few words in consequence of some observations which had been made in the course of that debate. The hon. Member for West Norfolk (Mr. Bentinck) said that there were only three serviceable ships, according to his notion, in the British Navy; and the Mover and Seconder of that Motion had naturally dwelt on the defects of the present system. Now, he admitted that that system had many serious defects, and that night they had been discussing one of the principal of them; but, nevertheless, he did not wish it to go abroad that the Navy of this country was really inefficient. He was glad that the hon. and gallant Gentleman (Captain Pim) who had given Notice of an Amendment had not ventured to press it upon the House. They did not want any more Committees on that matter. Although he did not approve all that had been said or done by the present First Lord of the Admiralty, he believed that the administration of the Navy was absolutely safe in his hands, just as it had been quite safe in the hands of previous First Lords who had been attacked for their administration. And at this moment, notwithstanding all the criticism they had heard in that House and read in the newspapers, he was perfectly convinced that the Fleet of this country was superior to the Fleet not only of any other Power which could be brought against it, but of any combined Powers which were likely to unite against us. He often thought it very impolitic and very unpatriotic for Gentlemen to dwell altogether on the faults of the present system and on the deficiencies of the Navy, without at the same time admitting that ours was the most powerful Fleet which he believed the world had ever seen. He would ask the House to deal with practical defects. One had been pointed out and was before them, and the hon. Member for Pembroke (Mr. E. J. Reed) had referred to some others, and he (Mr. Baxter) hoped they would be discussed at greater length at a future time. It was the duty of every Member of the House, and especially of the Opposition, to criticize the naval policy of the Government; but he deprecated saying or doing anything which would cause an unnecessary panic at home and produce a very false impression abroad. He would be happy to support the Resolution.

MR. A. F. EGERTON thought that his hon. Friend who had moved that the government of the Admiralty should be placed in the hands of a Secretary of State had been fighting with shadows rather than with realities, as so far as he knew—and he had now had some four years' experience—his right hon. Friend the First Lord held the same position at the Admiralty as the Secretary of State for War did at the War Office. It might be said that the responsibility of his right hon. Friend was shared by the Naval and Civil Lords and by himself; but he denied that assertion, maintaining, on the contrary, that his right hon. Friend was the organ of the Board of Admiralty and entirely responsible for its administration. The hon. Member had quoted a long list of disasters, or rather mishaps, to Her Majesty's ships, some of which were not authentic, while others, unfortunately, were authentic, and he had said that they were owing to the bad method of administration. There was, however, a missing link in the hon. Member's argument, because he did not show that those disasters were due to the fact that there was a First Lord, together with Naval and other Lords of the Admiralty. As to the disaster to the *Vanguard*, the hon. Gentleman alleged that the reason why Admiral Tarleton had not been tried by court-martial was because he was an old member of the Board. Now, he denied that that fact had really had anything to do with it. The reason why Admiral Tarleton had not been tried by court-martial was because the whole question of the loss of the *Vanguard* was of course referred to the Admiralty, and carefully considered by the First Lord and by three Naval Lords whose business it was to consider all cases of that kind; and they arrived at a judgment to the effect that Admiral Tarleton was not to blame. He believed that was a perfectly impartial judgment, and, having arrived at it, they were bound to act upon it. The Minute was agreed to by every member of the Board. They had two of the best officers in the Service, two of the best admirals, and one of the best, if not the best, captain in the Service, and a man thoroughly conversant with the conduct of iron-clads at sea. The fact of Admiral Tarleton being a former member of the Board did not weigh a feather's weight with any of those who gave that perfectly impartial judgment. The hon. Member had said that the *Iron Duke* was nearly lost. No doubt the valves of the *Iron Duke* were wrongly marked, but the ship was not nearly lost, and he could not see how any change in the Admiralty could have prevented the wrong marking of those valves; and he would take the opportunity of warning the hon. Member against too implicitly believing in the reports of the naval correspondents of newspapers, who picked up their information as they could and who were apt to give a certain amount of colouring to their facts. Those reports, at all events, ought not to be made the basis of discussion in the House until they had been thoroughly sifted. Very often the slightest accidents were magnified into naval disasters. In the case of the *Assistance*, so far as he knew, there had been no complaint, while in the case of the *Pallas* there had been a slight accident, which had been immediately placarded as "Another disaster to one of Her Majesty's ships." He was sorry to say that in the cases of the *Opal* and the *Hydra* there was reason for complaint. The latter was a case of pure mismanagement, for which those responsible had been punished sufficiently by the Admiralty. As to the *Shah*, her engines unfortunately had been very unsatisfactory; there was no question about it.

But there was a tale to tell about those engines. They were ordered from a firm which unfortunately went into liquidation, and the business was taken over by another firm. The consequence was that the engines were not finished as they ought to have been, and it was only recently that they had been got to work at all satisfactorily. Such a case as that was not the result of bad work on the part of the Admiralty, though he did not say that the Admiralty was not responsible for it. Engines were ordered of private firms which were reputed to be the best in the world; they were ordered after tenders had been received and fully considered, and he was not aware what more could be done. Unfortunately it was a much more difficult thing to engine a man-of-war than an ordinary merchant vessel, owing to various considerations which had to be taken into account, and that was probably the reason why breakdowns sometimes occurred in the Navy. The case of the *Orontes* was a remarkable one. She was a troopship, which, having been too short, was lengthened by her original builders, the Messrs. Laird, of Birkenhead, and so lengthened proved to be a great success. Unfortunately her engines were unsatisfactory, but they were made by one of the best firms in the world, who were most desirous to give satisfaction; and he just mentioned this fact as a proof of the difficulty which was sometimes experienced in such cases. The *Danaë* was also a special case. Her boilers were of new construction, and they were ordered by the late Government, and it was then found that they would not work, and the present Government had had to replace them. The engines of the *Turquoise* and other new ships had also been very unsatisfactory. The Admiralty ordered them from the best firms in the world, and he could not see, whether if the Admiralty were administered by a Secretary of State, a naval officer, or anyone else, they could have done more to secure proper engines. So much for the accidents which had happened in the Navy. He now came to the second part of the hon. Gentleman's statement. The first observation he had to make on that subject was that the hon. Gentleman seemed to have a very erroneous impression as to the position in the Service of the Surveyor of Dockyards. Instead of being a sort of superintendent of dockyards, as the hon. Gentleman apparently believed, that officer might be described as the "eyes of the Controller." His duty was to see that the work was going on satisfactorily, but he had no control over the dockyards whatever. The great complaint of the hon. Member seemed to be that the Controller should be a naval officer; but he did not say from what class he would have him selected. The Controller's duty was to advise the Board, after consultation with his own subordinates, as to the general work of the dockyards, and he quite admitted that a gentleman in that position ought to have great and varied experience. On looking back, however, to the speeches of the right hon. Gentleman the Member for the City of London (Mr. Goschen) in 1873, he found there a very complete answer to the objections which had been made to the present Controller of the Navy. He himself would only add that the present Controller of the Navy was a man of very considerable experience in the management of dockyards, and that he did not believe it would be possible to find either a civilian or a naval officer who could better fill the position. The right hon. Member for Montrose (Mr. Baxter) contended that the superintendents of dockyards ought to be civilians, and that each dockyard ought to be conducted on an independent footing. He wished to ask the right hon. Member, in that case, what he proposed to do with the Purchase Department of the Admiralty. If it were kept up and supplied the dockyards it would do away to a considerable extent with the power of the manager of the dockyards. If, on the other hand, the superintendents purchased each for his own dockyard one would be pitted against the other, for whatever they did they could not make the managers of dockyards independent in the same sense as the masters or owners of great private manufacturing establishments. The result would be entire confusion. There was another objection to what had been proposed to the House, and that was the vast increase of salaries that would have to be given to these managers, which would cause a considerable addition to the Navy Estimates. They could not get good men at a less salary than £2,000 a-year. This, he granted, was an objection which would not have much weight if it was certain there would be a great advantage in having civilian managers; but he contended that the superintendents at present did their work very well. They were men who had had a large and varied experience of naval affairs, which, if they were men of sense, could hardly fail to qualify them for their position, and he doubted the possibility of getting civilian managers who would perform the duties so satisfactorily as the majority of the superintendents did. There might, of course, occasionally be a superintendent who did not attend properly to his work, but that might equally happen if they had civilian managers, and where it did happen there was the advantage in the case of the naval superintendents that, as they did not remain permanently in the yards, there was a good chance of getting rid of the inefficient officer. The hon. Member for Pembroke (Mr. E. J. Reed) had dwelt a good deal on the weakness of the Engineer Department of the Admiralty. He quite agreed with him in thinking it was at present too weak. Something had been done to remedy that state of things, but whether anything more would be done he could not tell. The duties of the Department were very important; it had to examine the specifications and to see that the subordinates in the yards were doing their duty, and its present strength was, he thought, inadequate for that work. With regard to the remarks of the hon. Member for Pembroke on the subject of the education of naval officers, he agreed in thinking that there ought to be greater opportunities open to them than at present for studying the whole question of steam as applied to Her Majesty's ships; but he did not think it would be found practicable to give prominence to that matter in the early stages of the boys' training. He would not trouble the House with any further remarks. He had sought to show in brief that if the office of First Lord of the Admiralty were abolished to-morrow and that of a Secretary of State substituted, it would make no practical difference in Admiralty administration; that the office of Controller was held by a person who had a practical knowledge of the duties connected with it; and, lastly, that it was expedient that superintendents of the yards should remain, as at present, naval officers.

Mr. GOURLEY said, there was no spending Department of the State which, in his opinion, required more careful supervision than the Admiralty. He did not, however, entirely agree in the Resolution moved by the hon. Member for Lincoln (Mr. Seely), but he should go into the Lobby with him if he pressed it to a division. He thought the system prescribed by the Admiralty for the sailing of our vessels—namely, that the ships should follow at three cables' length from each other—was the main cause of the loss of the *Vanguard.* He hoped the system would be altered, otherwise similar accidents during fogs might be expected. He denied that the First Lord of the Admiralty was now as much responsible for the management of the Fleet as he ought to be, for there was this difference between him and the Secretary of State for War—that he had the opportunity, if he chose, to evade sole responsibility, and cast a share of it upon the other Members of the Board. It would be politic on the part of the Government to make the First Lord as responsible to the House and the country as the Secretary of State for War now was. Reform was needed in regard to the manning of the Navy. At the close of the Crimean War in 1859 this country had 927 ships, and the number of men and boys required for their management was 46,000, exactly the same number we had now for working 248 ships. He should like to know how the Admiralty disposed of so many men at present with so small a number of ships. He also complained of the expenditure of £100,000 a-year for police to look after the dockyards, and suggested that blue-jackets might be employed in their stead. A more careful control was required over the Dockyard expenditure, particularly with regard to repairs of ships, upon which money was wasted in some instances. He urged the Admiralty to take measures to secure the thorough training of naval officers in the management and manœuvring of our steam fleet; and he suggested the establishment of local Naval Colleges at all our principal seaports, where poor parents might obtain for their boys a naval education at less expense than was now incurred in sending them to Greenwich or some other of the existing schools. Our transport system was worked expensively, and the vessels employed in that service took double the number of men that merchant ships of a similar tonnage carried. In conclusion the hon. Member expressed a hope that these necessary reforms in the several branches of the Department would be effected by the Admiralty.

MR. SAMUDA said, the paragraph in the Motion which set forth that—

> "This House recommends the Government to take into consideration the advantages of appointing to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards persons who possess practical knowledge of the duties they have to discharge"

was a truism. The difficulty was to confine oneself to within those narrow limits which would enable one to follow the discussion which had been raised by his hon. Friend the Member for Lincoln. He did not think that the disagreeable incidents and mishaps in the Navy referred to by his hon. Friend justified the conclusions he had drawn from them. One of those incidents was the breaking down on her trial trip of the *Alexandra*, which he had no hesitation in saying was one of the finest ships in the Fleet. It was assumed that the breakdown arose from a flaw in a crank-pin of the engine, and a careful examination was made to ascertain whether such a defect existed. He was informed that the contractor, in whose hands the engine still was, removed all doubt on the question by voluntarily offering to remove the suspected crank-pin and put in another. After this had been removed there was no defect whatever in the machinery of the vessel. As a rule, he believed that the engines in the Navy were very successful. It was quite the exception when one found anything seriously wrong with them, and that was one of the strong reasons why he would draw the attention of the House to what he conceived to lie at the root of the cure of that evil in the matter which the hon. Member for Lincoln had put forward with regard to ships. If we were to introduce—if we could introduce into the Navy, with regard to ships, the same plan of operations which we had with respect to machinery, we should find different results. But the difference between the two cases was this. With respect to machinery, the Admiralty, as a rule, trusted to the character of the firms who had made marine engineering their speciality during their lives. These parties themselves designed the engines, and every alteration in them by what previous experience had taught them in arriving at the perfection to which those engines had attained. But with regard to ships the case was different. With the view of pushing competition to its extreme limit, the Admiralty had recourse to theoretical designers. He did not want to say anything disparaging of these designers; he entertained a very high opinion of the Chief Constructor of the Navy; but, whoever he might be, he could not produce such satisfactory results as if, instead of relying upon one man, the Admiralty could avail itself of the outside information that was to be obtained throughout the length and breadth of the land from persons who had devoted their lives to the subject. While, in his opinion, the Controller of the Navy ought not to be looked to for the designs of ships, he ought to be able to lay down the general principles upon which the designers should act, and therefore he should be an experienced naval officer. The right hon. Gentleman (Mr. Childers), when First Lord, thought the right thing was to make the Controller a Member of the Board. It appeared to him, however, that this step was a serious mistake. In his present position the Controller had to justify all he did before the Board—a tribunal higher than himself; but the position would be different, if he were merely called upon in a conversational manner, and with the special knowledge he possessed, to justify his acts before Colleagues of equal authority. With reference to the Dockyards, he held that the hon. Member for Lincoln was right thus far—that the centralization which existed at Whitehall was a bad thing, and that decentralization should take place to a certain extent, so that each Dockyard should be made to constitute an independent manufactory. With regard to the proposal to substitute a Secretary of State for the First Lord of the Admiralty, he could not see what advantage could be gained by such a change. The question of engines was not the weak point in our naval system, but the complications and variations in the types of our ships. We might with advantage in this respect follow the example of some Continental nations, and make our ships a greater repetition of one another, separating ourselves from theoretical designers, and putting ourselves into the hands of men who had made the building of such ships the study of their lives.

CAPTAIN PRICE held the opinion he had expressed last year, that the First Lord should, if possible, be a naval officer; but, like the last speaker, he did not see what advantage would be gained by merely substituting a Secretary of State in his place. The hon. Member for Pembroke (Mr. E. J. Reed), who so ably seconded the hon. Member for Lincoln (Mr. Seely), had, during the Recess, prepared us for this Resolution. The hon. Member came down to the House and delivered a sort of sequel to the letters he had so lavishly laid before the the country in the columns of *The Times.* He was glad, however, to see that certain remarks which the hon. Member had made in those letters and which had given great offence to naval officers had been entirely eliminated from his speech to-night. But there was one respect in which neither the speech of the hon. Member for Lincoln nor that of the hon. Member for Pembroke was a sequel to the letters that had been published, and that was that they had really brought the matter to-night to no practical conclusion. Neither of those hon. Gentlemen had hinted who ought really to be the superintendents of our naval yards. They attempted to give reasons why naval officers should not be, but not to show who should. Did the hon. Member for Lincoln contend that the superintendents should be taken from the Constructor's department? The hon. Member for Pembroke seemed to prefer that they shonld be taken from the heads of the mechanical department. But a naval constructor, though possessing great knowledge of everything that went on in the dockyards, might not be capable of superintending the engineering department, nor an engineer of superintending the shipwrights. He did not intend to say that naval officers, except in very few cases, had any special knowledge of shipbuilding; but he would remind both hon. Members that it was not altogether unheard of that naval officers had that special knowledge. Had the hon. Members never heard of Admiral Symonds, of Sir Baldwin Walker, and other naval officers, who had designed such vessels as the *Phaeton* and the *Narcissus*, of each of which it might be said—

> "She walked the waters like a thing
> of life."

Then there were other things, such as rigging and masting, which naval officers were particularly fitted to attend to. Every gun carriage on board a man-of-war was either the invention or adapted from the invention of a naval officer. The steering apparatus, too, a matter which required a great deal of thought to work out, was chiefly invented or perfected by naval officers; and, in some cases, the machinery of ships, if not invented, had been improved by them. The general fitting out of the ship and the stowage of the weights were essential matters, which a naval officer would know how to deal with better than a constructor or engineer. A great deal had been said about patronage; but where a naval officer was superintendent he had no patronage whatever to distribute among his own particular class, which would not be the case where a civilian held the office. The hon. Member for Lincoln had talked of the frequent disasters to Her Majesty's Navy and compared naval officers invidiously with officers of the Merchant Service. The hon. Member had spoken of a fleet of 43 merchant ships, to which there had been only two accidents all the time they were employed. But did the 43 merchant ships sail together—were they employed about the mouths of harbours and off stormy coasts? Nothing of the kind. They made single voyages from one post to another in a stated time. There was an entire difference between the two cases. Every one of those ships was equipped in the best manner for making a particular voyage; while in the Navy they had not to make passages from one place to another, but to do certain duties, and many ships were most difficult to handle. He had been in a ship built by the hon. Member for Pembroke, called the *Penelope.* It was one of the most useful ships of her day, but of such extraordinary construction, being without keel, that it was impossible to keep her in her station unless one screw was kept going.

MR. E. J. REED rose to explain that the *Penelope* was an exceptional vessel, built with extremely light draft of water for particular service.

Captain PRICE repeated that the *Penelope* was an excellent ship for certain purposes, but it was very difficult to manage, and when any accident occurred to such ships hon. Members came down to that House and said that naval officers could not manage our ships as they ought to do. And when the leading journal adopted such a doctrine, as it did on the 21st of January last, saying that naval superintendents of dockyards were officers who wished to qualify for better appointments, playing at business, and that their profit was the loss and injury of the country, he must take the opportunity of saying that such statements were utterly unfounded. One of the best points in this debate was made by the hon. Member for Pembroke when he spoke about the position of the engineers. He quite agreed in all the hon. Member had said, and he was glad to observe, by reference to the Naval Estimates, that they were about to receive, at all events, an increase of pay, if not also an improvement in their position. He was glad this subject had been brought forward by the hon. Member for Lincoln, and while he agreed with some of his remarks, he could not vote for the Motion.

Mr. SHAW LEFEVRE said, he was quite prepared to concede much to the statements made in reply to the hon. Member for Lincoln with regard to the long list of naval mishaps which had occurred during the last 18 months; but, making every allowance for individual cases, he thought it must be admitted that there was a residuum of very serious fact which fully justified the serious attention of the House. He quite admitted that in particular cases they might push responsibility too far. The Admiralty was served by innumerable agents in every part of the world, and they could not eliminate human error in every case. What, however, the House and the country had a right to expect was that when cases of disaster occurred, the Admiralty should do their best to press home responsibility to ascertain causes and, as far as possible, to profit by what had occurred and endeavour to prevent its recurrence. Having looked at the cases as they had occurred from time to time, he did not think that the action of the Admiralty had been altogether satisfactory. He thought that, on the whole, there had been an absence of firmness and vigour in pressing home responsibility upon those who ought to have borne it. In the case of the *Vanguard*, for instance, they did not probe the disaster that had occurred to the bottom, nor did they press home responsibility in the way they might have been expected to do. They were very hard on a young lieutenant who had only served a few months, and passed over with slight notice much more serious offenders. Again, in the collision between the *Alberta* and the *Mistletoe*, the general impression was, that the case had not been sufficiently investigated. [Mr. Hunt: There was a vote upon it in this House.] Yes, but the sense of the House was not only to be gathered from the votes of Members; the drift of the discussion was entirely in the opposite direction, and showed that there was a strong feeling among Members that there was a disposition at the Admiralty to hush up the matter rather than probe it to the bottom. It was true that in the case of the *Thunderer* there had been an inquest, and various facts had been elicited, but there had been no official inquiry since, and we were at the present moment quite ignorant of the cause of the disaster. In looking back upon all the cases, there had been in dealing with them a want of vigour and firmness such as would be likely to make them an example to the Navy and prevent their recurrence for the future. As to the first part of the Motion—namely, that relating to the constitution of the Board of Admiralty, he was disposed to agree with the Secretary to the Admiralty, that the hon. Member for Lincoln was rather fighting a shadow, and he thought that after what had been said by hon. Members his hon. Friend would come to the conclusion that that was not really the most important part of his Motion. In 1869 his right hon. Friend the Member for Pontefract (Mr. Childers) practically upset the whole constitution of the Board and re-established it upon a new basis. He laid down that each member of the Board should be responsible for his own individual work, and that the First Lord should be responsible to the House and the country for the conduct of naval affairs, and could not relieve himself of it by shifting it upon his Board. Since

1869 the Board was not an executive body; it existed really as a consultative body to which the First Lord referred for advice from time to time in a formal or informal way, very much as the Secretary of State for War consulted the heads of various military departments. The real responsibility rested with the First Lord, and each Member of the Board was responsible to him for his special branch of work. If his hon. Friend divided the House on that part of his Motion, he (Mr. Shaw Lefevre) must vote against him. As to the second part of the Motion—namely, that relating to the position of the Controller, as far as he understood his hon. Friend the Member for Lincoln his main objection to the position of the Controllor was that he was a naval man, and he thought his hon. Friend said there was a fixed rule at the Admiralty that the Controller should be a naval man. He (Mr. Shaw Lefevre) did not believe that there was any such fixed rule, and it was perfectly competent to the Board if a vacancy should occur, to appoint, if they thought fit, a civilian. When the present Controller was appointed by his right hon. Friend (Mr. Goschen), the matter was well considered, and it was felt that there was no man better qualified for the post than Admiral Stewart. As to the third point, the constitution of the dockyards, he was disposed to agree very much with what had fallen from his hon. Friend the Member for Lincoln. He must, however, in the first place, point out that the position of Controller differed on very material points from that of the naval superintendents of the dockyards. The Controller of the Navy was really responsible in a very high degree for all the work that was done in his department; whereas the naval superintendents, as far as he understood, were not responsible for the work that was done in the dockyards. If he was rightly informed, the position of the naval superintendents was this — they were practically mere superintendents, and not real managers of the dockyards in any true sense of the term. They were the mere vehicles by which instructions were sent by the Admiralty to the constructors in the dockyards. In 1869 his right hon. Friend the Member for Pontefract introduced tentatively a process under which naval superintendents would become real managers of the manufacturing establishments in the dockyards. That plan was carried out tentatively in two or three dockyards where his right hon. Friend was able to find persons qualified to accept that post; but he believed that his right hon. Friend was not able to carry it out in all the dockyards. He (Mr. Shaw Lefevre) believed it would have been wise to have carried out that plan to its legitimate conclusion. But the present First Lord of the Admiralty, as soon as he entered into office, seemed to be desirous of restoring the state of things that existed under the old system. He maintained that while it was desirable that we should have naval superintendents at the dockyards, it was requisite that we should build up gradually an effective civilian control over those establishments; otherwise the most serious results might be anticipated. His hon. Friend the Member for Pembroke had raised the question of the general position of the constructors and the engineers in the dockyards as compared with that of the naval officers; and with much that had been said on that point he essentially agreed. He thought it would be most advantageous to the Service and to the working of the yards if the general status, not only of the engineers, but of the constructors, were raised, because then we should get men of ability and technical knowledge to fill those posts. On this point we might take a useful lesson from the French system. Some three years ago he had visited Cherbourg, and had minutely investigated the system at present in force in the French dockyards, and he found that the first striking difference between the English and French systems was that under the latter there was no distinction between the constructors and the engineers, who formed part of one special class, each officer of which could undertake the work either of constructor or of engineer. The second point of difference was that in the French dockyards these officers occupied a much higher status than they did among ourselves, and were men of considerable attainments, having been educated in the National Ecole Polytechnique, and having been selected for their posts by competitive examination. Thus, this branch of the service was in great repute, it was well paid and its members took high rank as compared with naval officers. Thus, the head of the Constructors' Department in each dockyard ranked next after an Admiral, both in pay and in general status. There was this further distinction between the two systems—that in France the head of each Constructors' Department took the supreme command of all the manufacturing establishments in the dockyard. The naval element in the dockyard was represented by the *Préfet Maritime,* the equivalent of our Port Admiral, who, however, exercised no control over the manufacturing branches of the establishment. Another point worthy of notice was that the French squadrons were always accompanied by one of these constructors, whose duty it was to supervise the condition of the ships and to keep the Minister of Marine informed on that subject; and that a similar officer was almost always to be found in the English dockyards, taking count of what took place in them, and reporting to the Minister. The result of all these distinctions to which he had referred was that, as a class, the French constructors and engineers were infinitely superior to ours, and it would be a great advantage to our naval service if we could advance in the same direction. He ventured to hope that before the debate was concluded the House would hear from the First Lord of the Admiralty that he had not committed himself to the system of naval superintendents and the nominal management of the dockyards as now carried on, but that he was prepared to take a step in the direction indicated by the hon. Member for Lincoln.

ADMIRAL SIR WILLIAM EDMONSTONE protested in the strongest manner against the proposal to put a civilian at the head of our Royal Dockyards. His experience of a dockyard told him that if a naval officer had not had the control there would have been universal confusion; a civilian would be an anomaly. He thought that a Secretary of State and his underlings would be the same as the present Board. The hon. Member opposite (Mr. Shaw Lefevre) had cited the example of France; but he should like to know what would be said in that country if it were proposed to place the French dockyards under a civilian management?

SIR MASSEY LOPES said, he could unhesitatingly affirm that the Orders in Council constituted the First Lord of the Admiralty in all but name the Secretary of State for that Department; that under those orders his power was supreme; and that he was wholly, solely, and exclusively responsible to the House. With reference to the Board of Admiralty it had been, he thought, admitted by the House on several occasions that it was a right and proper thing for a civilian to be the First Lord of the Admiralty; and in what way could a civilian learn the necessary professional details unless he had the assistance, as counsellors, of Naval Lords? The object of the First Lord was to get the advantage not only of the wisest judgment, but also the most recent experience. It had been said that the Lords of the Admiralty were sometimes changed; but it seemed to him that that, instead of being a disadvantage, was of the greatest possible advantage to the Board of Admiralty itself and to the country at large. A permanent Board would be useless after a few years. Things were continually changing in the Navy. Ships were changing, discipline was changing, motive power was changing, our mode of attack and defence was changing. In 10 years half the men who entered the Navy left it; and not only the men, but opinion, was changing. For that reason men were required at the Admiralty who would make the First Lord conversant with the most recent experiences in the Service. As to the power which the First Lord had of choosing his coadjutors, he held that it was necessary the right hon. Gentleman should possess that power, in order that he might have confidence in the naval officers, and that matters might proceed pleasantly. It did not follow that because the First Lord had this power the coadjutors whom he selected were chosen wholly and solely for political reasons. For instance, Sir Alexander Milne, who was at the Board for 18 years—he (Sir Massey Lopes) had known him all his life, yet he did not know his politics. There was also the case of Sir Sidney Dacres. It had been urged that the Controller was not qualified because he had no knowledge of the practical duties of a dockyard. But he would remind the House that that officer was assisted by a committee of five naval architects and two engineers. These gentlemen were permanent officers and civilians, and the

Controller always advised the Board as to the type, design, qualities, and properties that a man of war should possess; therefore he must be a naval man, and have much nautical experience. The naval ordnance and stores were also under the Controller, for it was necessary that all three departments should work together, as if they did not there would be endless confusion and delay. His hon. Friend the Member for Pembroke (Mr. E. J. Reed) had advocated that there should be a civilian to assist the Controller in the dockyards; but he (Sir Massey Lopes) thought the House would admit that that would establish a dual government and divided authority which would leave no responsibility at all. They were told again that naval men were selected not for their experience of dockyard management, but from their professional knowledge; but in answer to that remark he could point to no better instance than the present Controller, who had been Superintendent at Chatham for five years, and who had afterwards held the same position at Devonport and Portsmouth. They had been told also that the Superintendents ought to be civilians, as at present they had no practical knowledge of their duties, and they were too frequently changed. He could only say that shipbuilding was a very small portion of the work done in dockyards. The Superintendent was a sort of link between the service afloat and the service ashore. No civilian could exercise the same sort of influence which naval men did. Something had been said with regard to foreign yards, but in all these there was a naval Superintendent. Moreover, when any foreign Government had a ship of war built in this country they did not send over a civilian, but they always sent over a naval officer. [MR. E. J. REED: No, no!] He could only say that that was the result of his experience. As to the charge that the Superintendents of dockyards were too frequently changed, he thought there was some foundation for that. That was the weak point. If instead of the Superintendents being liable to removal after a short time, by promotion or any other cause, they could be appointed for a period beyond five years he believed it would be a great improvement. His right hon. Friend the First Lord had felt that difficulty, and had taken action upon it in a recent case at Chatham Dockyard, by obtaining an Order in Council to enable them to retain the officer after his promotion. He confessed he should like to see that system extended. He should be the last man to protest against any just criticism of our naval administration. He thought all must feel that our natural greatness and prosperity depended upon our marine supremacy. He felt, however, that organic changes in the naval administration were very dangerous and detrimental to the public service. He did not doubt that there were many defects, and that improvements could and should be made. He did not blame the hon. Gentleman for bringing forward a Motion which had led to so much useful discussion, but he thought the House would agree that he had not made out a case in its favour.

MR. WHALLEY expressed his sympathy with the position of the right hon. Gentleman in regard to the calamities which had occurred during his administration. He thought the Motion of the hon. Member for Lincoln was well worthy discussion, in that it had produced, and would probably cause to be continued, a useful discussion without producing any of the organic changes in the administration of the Navy which some hon. Members seemed to fear. He complimented the right hon. Gentleman on the attention he had paid to questions apart from the ordinary routine of the administration of the Navy, and he expressed an opinion that the appointment of a Secretary of State would ensure still greater attention to such matters in future. The system of Naval Artillery Volunteers had been established under the right hon. Gentleman's auspices, and training ships and other kindred matters, upon which it was usually very difficult to make any impression on the Board of Admiralty by outside influence, had received great attention at his hands. The hon. Gentleman strongly urged the further development of the Volunteer system in the Navy, and he suggested that the fleet of pleasure yachts might in some way be utilized in connection with volunteering.

MR. HUNT, who rose after a considerable pause, said: I waited, Sir, in the hope that the right hon. Gentleman opposite (Mr. Goschen) would have risen to offer some observations to the House;

but as he has not thought proper to do so, I think before we divide—if we are to divide—the House would probably like to hear one or two observations from me. The hon. Member for Lincoln (Mr. Seely) has put me in a great difficulty, because he has virtually made it necessary for me to make two speeches. First of all, I have to reply to his Motion, and next I have to reply to his speech. If I reply to his Motion, I shall say very little in answer to his speech; and if I reply to his speech, I shall say very little in answer to his Motion. The hon. Gentleman has, in the course of the last few days, changed the form of his Motion no less than three times. He first proposed it in the shape in which he submitted it to the House in the year 1873. Then, about three or four days ago, he made some little alteration in its form, leaving the substance very much the same as it had been. To-day, however, at the eleventh hour, we have a new version, in which the hon. Member proposes two distinct Resolutions. I gather from that fact that the hon. Gentleman found a little difficulty as to the support he hoped to obtain; that he found his original Motion would meet with little support; and that he divided it into two heads in the hope that one of them, at least, would find favour with the House. But, in spite of all these alterations, I do not think the hon. Gentleman has made the right alteration. Looking at his speech, rather than his Motion, my view is that his Motion ought to have been one of want of confidence in the First Lord of the Admiralty. I have a very old English prejudice in favour of coming up to a scratch; and I cannot help saying that if the hon. Member intended to have made an attack upon me, I should have preferred he had made it in the shape of the Motion I have suggested. Sir, the Motion of the hon. Member is an attack upon a system, while his speech is an attack upon me. I was quite prepared to meet him on either ground; but his speech and his Motion render it necessary that I should meet him on both grounds, and I am here to do it. The hon. Member began his speech very much as he did in 1873, and spoke of the great defects in the constitution of the Board of Admiralty. He complains that the Admiralty is governed by a First Lord and a Board, instead of by a Secretary of State. Well, that topic has been touched upon by many hon. Members who have addressed the House; and very few have —I do not believe that a single Member has — given any countenance to that part of the Motion. I will therefore only remind the hon. Member of the opinion given by Sir James Graham when examined before a Committee of the House in 1861. Sir James Graham said that the House must not only look to the patents under which the Board of Admiralty was constituted, but also to the usage and custom of the Admiralty in order to understand what the Board really was and how it did its work. The authority of the First Lord was, he said, paramount, and unless that were the case the system would not work. With, however, the personal and individual responsibility of the First Lord well established the system worked in the way which Parliament and the country expected. Everyone who has been at the Admiralty since 1861 has been of the same opinion—that the authority of the First Lord is paramount—and that is the reason why the system works well. The officers who form the Board remember that the First Lord is responsible to Parliament, and that is the reason why they are willing to give way to him on many points that may arise. I will ask the hon. Member for Lincoln whether he has ever known any First Lord seek to shelter himself under the Board? There are two right hon. Gentlemen on the opposite Bench who have served the office of First Lord, and will he say that they have ever sheltered themselves under the Board—will he say that I have ever done so? Has not the responsibility of the First Lord always been fully avowed by himself — and has not this House always looked to him as responsible? If so, why do you want a change? You may alter his designation—you may call him a Secretary of State or a First Lord, or a President, if you will, but you will virtually have the same thing as you have now. But in all you will want this element of personal responsibility, and that I say you have. I maintain, however, that the change from First Lord to Secretary of State would not be acceptable to the Service, and that they would not regard a Secretary of State with the same feeling as they do the Board of Admiralty.

that has existed so long and in which they have confidence. The hon. Member says that politics interfere with the selection of the Board. If the naval members obstructed the action of the Board by their political opinions that would be an excellent reason for a change. But so far from being actuated by politics, I continued two members of the Board who were in office under my predecessors. I can truly say that I do not know what are the politics of my First Sea Lord, and I could not give a positive opinion as to the politics of two other members of the Board, for I never discuss politics with them. I can, however, say that when I have spoken to them about accepting seats in Parliament they decline on the ground that it would withdraw them from their duties, and that it would be better that they should have nothing to do with politics. The hon. Gentleman gave an extraordinary reason for saying that politics interfered with the Board, because, he says, I made a political speech when I first introduced the Navy Estimates. I do not see how that proves his point even if it were true; but I venture to think that I did not make a political speech on that occasion. There was much controversy at the time, and no little heat about a Motion then pending, and I explained the real state of the Navy, and I did so unreservedly and frankly. The hon. Member says he believes that the state of the Navy now is, if not worse, at all events not better than it was then. All I can say is that, as I have asked the House for large sums of money to be expended on the Navy, if it has not improved I have grievously betrayed my trust. I will only add that if the hon. Member is seriously of that opinion he is in a state of the most profound ignorance. The hon. Member read a long catalogue first of my delinquencies and then of the defects in ships. That is a part of the speech that has, however, very little to do with his Motion, unless he is of opinion that if I had been called Secretary of State those delinquencies would not have occurred, and those defects in the ships would not have existed. I venture to think that it would not have made the slightest difference. He alluded, of course, to the case of the *Vanguard*. The hon. Member, I believe, intended to make a speech on the *Vanguard* last Session, but unfortunately did not find an opportunity. When we have prepared a speech on any subject and are prevented from delivering it, there is a feeling of uncomfortableness until we have disburdened ourselves of it—a sense of fulness or indigestion which leads us to take the earliest opportunity of delivering it. The question raised by the *Vanguard* was a very intricate and difficult one. I went into it at great length last Session, and I do not propose to go into it now. I accepted fully the personal responsibility of the decision in that case, and which I formed according to the best of my judgment and ability. To that decision I adhere; but when the hon. Member for Reading (Mr. Shaw Lefevre) says it showed weakness and want of vigour and firmness, I say it showed the very contrary. If the Admiralty had accepted in full the verdict of the court-martial, we might have been open to that imputation. But we took a different line from the court-martial, and I say that we exercised an independent judgment. The hon. Member may say the line we took was erroneous, but he cannot call it feeble. There is no pretence for saying that the regulations of the Admiralty as to the apertures in the bulkheads hastened the foundering of the *Vanguard* by a single moment. Those apertures were made without the knowledge of the Admiralty, and in consequence of some misapprehension of the instructions sent down to the dockyard. The Admiralty sent the same instructions to other dockyards, where the same mistake was not made. Then we are told that the wrong persons were called to account, and we are asked why we did not call to account the Admiral Superintendent. The fact was that the Admiral Superintendent to whom the hon. Gentleman wished us to write was not there when the mistake was made, and to censure him for what was done before he went to the dockyard would, I should think, hardly meet the views even of the hon. Member for Lincoln. The regulations were not sufficiently explicit as to the functions of the engineers and the constructors. It was, however, brought to our notice that these regulations were not explicit, and they were altered by us after the mistake was made, but before it was discovered. They were very small holes and covered with slides. They were not open holes, and although we were surprised that such holes were made, something is to be said in defence of the officers. They were not the absolute idiots which some people have supposed. The hon. Member then refered to the delinquencies of the officers of the Navy in these dockyards, and said he would give the House plenty of instances. It was said that the *Iron Duke* nearly went down; but it never did. A sensational telegram was sent from Devonport to that effect, and leading articles upon it appeared in the papers; but what were the facts? The *Iron Duke* was taken out with the assistance of a tug; the water came in through a valve; and as those on board were not able at the moment to ascertain where it came from, they made a signal to the tug to rejoin the *Iron Duke.* That gave rise to the sensational telegram that the *Iron Duke* had signalled "We are sinking; come and save us." In a few minutes it was discovered where the water did come from; it was pumped out in 10 minutes, and then the strictest inquiry was made. Though it was a small matter, there never was a more searching inquiry. The primary cause of the accident was as follows:—In consequence of the accident to the *Vanguard* an alteration was ordered to be made in the *Iron Duke.* It was found that the handle by which certain valves were worked being under the floor-plates of the stokehold were not easily accessible; and it was determined that a long handle should be affixed to those in the *Iron Duke,* so that they could be worked from the engine-room platform, and a leading man from the Factory was told off to do the work. He was not told to mark the handle, but he did so, putting "O," for open, where "S" ought to have been, and "S," for shut, where "O" ought to have been. I have no doubt if there had been a Secretary of State instead of a First Lord of the Admiralty the man would have put the letters in the right place. Then it is said someone should have found out this mistake. Perfectly true. We discovered who was to blame for not finding out the error; but we did not punish him, because it had been previously found that he was unfit for his post, and he had already been removed from the ship. This is the history of the *Iron Duke* incident. It is said that the *Monarch* had a collision in the Channel, and we paid money to the ship with which she had the collision, and that therefore we owned we were wrong and yet punished nobody. It is quite true that there was such a collision and that we paid money as compensation; it is not true we considered anybody on board the *Monarch* was in the wrong. It may seem inconsistent, but there was an inquiry, and my colleagues and I were perfectly satisfied that all was done well on board the *Monarch,* that there was a good look-out, and that the light of the merchant ship was not seen. The conclusion I came to was that the merchant ship did not carry a light, or else that she carried one in such a way that it could not be seen. I was prepared to contest the liability of the Admiralty, but the lawyers we consulted said—"You may be perfectly right, but you will have to prove a negative. You can prove that you did not see a light, but you cannot prove that a light was not there." We were advised, therefore, not to take the matter into Court, and I did not like to go into Court and spend public money with the risk of being beaten; and I maintain that we adopted a prudent course in settling the matter without going into Court, and that nobody on board the ship ought to be called to account. Well, then, the hon. Member talks of the collision which occurred to the Mediterranean Squadron. The Admiral-in-Chief of that squadron did not think it necessary to order a court-martial, and wrote to the Admiralty that he did not consider there was any culpable inattention on the part of the officers concerned. With the expression of that opinion were we to order a court martial? If the Admiral had found there was *primâ facie* evidence of culpability such as to justify him in ordering a court-martial he would have done it. We accepted his opinion with the confidence we ought to repose in the judgment of such an officer, and therefore we did not order a court-martial in that case. I now come to the very serious business of the *Thunderer,* of which I can hardly speak without emotion. The accident to the *Thunderer* was a very awful calamity, and one that every person must deplore; but the hon. Gentleman seems to think that the Admiralty ought to have ordered an inquiry, and that we did not. He asserts, too, that the conclusion was arrived at upon the evidence of gentlemen who were employed in the interest of the Admiralty. I venture to say there never was an inquiry made under circumstances of greater solemnity, with greater security for impartiality, and for the fulness of the scientific evidence, than was made in that case. What did the Home Secretary do? Though it was an unusual thing to do, the Home Secretary allowed the Coroner the expenses of a skilled witness, and the gentleman appointed was a man of great attainments and thoroughly competent to give advice. Well, what did the Admiralty do? They directed a number of their most skilled officers to go down and examine the stokeholes and boilers, in order that they might form a correct opinion as the cause of the explosion. Moreover, particular care was taken that there should be no tampering with anything on board the ship; sentinels were stationed to prevent anyone interfering with the *debris* of the boiler, so that the witnesses should see everything as it was just after the explosion. The Admiralty thought it would not be satisfactory to have only Admiralty witnesses, and they selected a gentleman of high and independent position and of great eminence as an engineer to go down, examine the boiler, and give his evidence before the Coroner. Of course we paid him; who else was to pay him? Mr. Bramwell is a gentleman of far too high a position to warp or alter his evidence in the slightest degree simply because he looked to the Admiralty for payment for his services. He was selected to give an independent opinion and told to do so, and we were bound to recognize his services by payment; and it would be a monstrous slander to say that he was acting as an Admiralty agent whose object it was to warp the decision of the Coroner's jury. The hon. Member for Lincoln may disagree with the verdict of the jury, but I venture to say that he has not read all the evidence. There is conclusive evidence that one of the valves had been opened on the morning of the accident, while in regard to the one that was closed the hon. Gentleman alleged it would not have been immovable if it had not been shut up for three years. But the evidence showed that the valve, after the accident, was found perfectly free in its seat and clear of rust and dirt and able to work. It is true the verdict contained the words quoted—

> "The accident is due to the sticking of the valves from the contraction of their metal seats, but the stop valve being closed, we consider as contributing to the accident;"

but the inquiry disclosed a possible condition of things previously unknown in the engineering world. A new fact was disclosed in regard to these valves, a fact not known, generally speaking, to the engineering world—namely, that valves which would move freely when cold, and which would work if moved in the process of heating, might stick when heated fresh from cold; and it was on that fact that the jury, with the evidence before them, found that the valves stuck. Besides Mr. Bramwell and the officers appointed by the Admiralty there were other officers appointed by the contractors. The contractors were naturally interested in showing that the responsibility did not rest on them, and nobody could have behaved more honourably than they did in this matter. The experts whom they sent down entirely agreed with Mr. Bramwell and the officers sent by the Admiralty, and it was not thought necessary to call the other witnesses. The hon. Gentleman referred to the evidence of one witness, that a man might think he had opened the valve when he really had not done so. I tried the thing for myself, and found that it was impossible that a man who had once been shown how to work the valve could possibly have thought he had opened it and not have done so. Then the hon. Member said—"Oh, the Admiralty ought to have had a further inquiry." What possible good could we have done by a further inquiry? We had had our own experts and also independent experts, and that was the conclusion to which they came; and we accepted it as the right conclusion. Enormous expense had been incurred to arrive at a right conclusion, and which the jury sanctioned. But all these accusations are founded upon the supposition that the Admiralty want to hush up matters and to screen people who are to blame. There could be no greater mistake than such an idea. No one could be more anxious than the Admiralty itself is, or than I myself am, being the person who is responsible to this House—no one could be more anxious to find out anything that goes wrong, and who is the culprit. What we want, above all things, is to have a really efficient and trustworthy Service, and the only way to secure this is to punish the persons, when we find them out, who are guilty of causing these disasters. Well, I have now dealt with some of the important charges of the hon. Gentleman, and I hope I have done so to the satisfaction of the House. The hon. Member opposite (Mr. Shaw Lefevre) alluded to another matter, and spoke of the opinion of the House; but after a long discussion the House decided in a way contrary to the view of the hon. Member for Reading. The hon. Member for Lincoln gave me a long list of ships which he says broke down, and which we are to suppose would not have broken down if I had been a Secretary of State; but which, according to my construction of his meaning, would not have broken down if some one else had been First Lord of the Admiralty. I could not help smiling when he began his list, and he remarked that I appeared to take a cheerful view of things. The fact is, I could not refrain from asking myself "Is it possible that an authority on these matters like the hon. Member for Lincoln has been made a dupe of by paragraphs in the newapapers about these mishaps being instances of maladministration." I was surprised to find writers indulging during the Recess in statements that these mishaps were illustrations of maladministration; but I confess my surprise was much greater at finding the hon. Member harping on the same string. I am glad, however, that he did not confine himself to generalities, but condescended to particulars. And here let me say, once for all, because it is an observation which covers the whole of these defects and these instances of maladministration which he has brought forward—let me say that the Admiralty has to build ships, but it does not make their machinery. It contracts for the machinery which is placed in them, and before it accepts that machinery it subjects it to very severe trial. Nine-tenths, I suppose, of the mishaps which are alleged as evidence of bad administration at the Admiralty are really so many proofs of good administration. They show that we refuse to accept machinery from the contractors before it has been put to the proper tests. A ship with new machinery, or with machinery that has been repaired, goes out for trial. If anything goes wrong, we order her to come back and to start afresh on another day. The ship starts; a pipe gives out, perhaps, or a valve is found to be defective. Immediately the ship comes back; and then it is said—"Oh, another of Her Majesty's ships has broken down!" Under these circumstances, the contractor is called upon to put things right; he does so, and the ship goes out for a fresh trial, and perhaps she may have to come back once more. Then it is said—"Why, she has broken down again!" That is really the history of half these cases which are cited by some writers in the Press and also by the hon. Member for Lincoln as proofs of maladministration. Let me say that there are some defects in machinery which can only be discovered by trial; and I am informed—for I am not an expert in these matters, though I have sought to acquaint myself with them—that in some instances no contractor can be sure that some of these defects will not arise, and they cannot be found out until the machinery has been actually tried. It is difficult to say beforehand whether they will interfere with the proper working of the ship or not. The hon. Gentleman mentioned the case of the *Alexandra.* I can speak freely about her, because she is not my ship; as she was built by the right hon. Gentleman opposite (Mr. Goschen), and I congratulate him on her being a great success. Well, the *Alexandra* was tried. The hon. Member for the Tower Hamlets (Mr. Samuda) alluded to the subject, and he understands it. There was a defect in the crank-pin. It was an enormous mass of metal, and there was a defective weld in it—that is to say, two edges had not perfectly joined; and the contractor volunteered to put in a new crank-pin. The spare crank-pin was put in, an additional new one was provided, and that was what happened to the *Alexandra*—a gross case of Admiralty administration. Then I come to the *Orontes.* There were some defects in the machinery of that ship which the contractors were called upon to make good. After receiving her back from the contractors, it was found that one of the crank-pins presented an appearance similar to what had been seen in the case of the *Alexandra*, and there was an alarm in the papers that we were going to send the ship to sea with a defective crank-pin. We subjected her to a trial, and being found to be perfectly safe she went to sea. With regard to the *Assistance*, I shall be much obliged if the hon. Member will give me particulars. It is perfectly new to me that the *Assistance* has broken down anywhere. As for the *Valorous*, I am told that my hon. Friend the Secretary to the Admiralty (Mr. A. F. Egerton) accounted for her. She did not break down, but she is not a new ship, and after trial at Devonport it was thought that she required new piston-rods. This the hon. Member for Lincoln would consider due to some fault in the administration. If we had not ordered new piston-rods when she required it, he might have justly found fault with our administration. Then it is said the *Valorous* and *Favorite* got into trouble. Well, the *Favorite* had long been in want of repair, and as soon as a ship was ready to take her place we sent the *Valorous* to tow her home. On the way they got into bad weather, as ships will do, and something connected with the towing apparatus broke, in consequence of which they were obliged to put into port. But I am not aware that a Secretary at the Admiralty could have prevented the ships from getting into bad weather, or that the same thing would not have happened if the hon. Member for Lincoln had himself been Secretary. There was an explosion on board the *Hydra*, it is true; but the engineer through whose fault it occurred was removed from his post. I do not know whether this is another instance of maladministration. We found out who was responsible for the accident, and we punished him. Now, with regard to the *Danaë*, my hon. Friend the Secretary to the Admiralty has already given the House an explanation, which, I am sorry to say, many hon. Members were not here to listen to. He made a most excellent reply; but as many hon. Members are now present who preferred dining to hearing it, I will just go over a little of his ground. A few years ago a new form of boiler was invented, the object of which was to save fuel. Well, that is a very desirable object, because the cost of fuel is a considerable item in our Estimates. The new form of boiler was tried in a ship throughout her commission and answered perfectly. My predecessors at the Admiralty being satisfied with it, ordered boilers of that kind for the *Danaë* class, and I think they acted wisely in so doing, for the invention had been a success. But when the new boilers were put into the *Danaë*, it was found to everybody's surprise that they did not answer. Although they were suitable for one class of ship, they were not suitable, it appeared, for all. We ordered everything to be tried to make them work, but our efforts were unsuccessful. At last we determined most reluctantly to take the new boilers out of the ship and put others in their places. Then there is the *Shah*, a ship which was ordered many years ago. The contract for her machinery was entered into by my predecessor with a firm which had done good work for the Admiralty and from whom, therefore, good things might have been expected. Unfortunately there were changes in the firm. They amalgamated with another firm in consequence of their inability to carry out the contract, and I believe that during the change some of their best men left them. The consequence was that the engines were not put on board the ship in that satisfactory state which was fairly to be expected, and they have, as the House has heard, given a great deal of trouble. I am happy to say, however, that the difficulty in this case has been overcome. For some years we have been introducing a new and improved class of engine into our ships—engines that are calculated to save a great deal of fuel—and there having been a large demand upon the different makers, the machinery orders have, perhaps, been given rather widely. A great many firms have been allowed to tender who under ordinary circumstances would have been passed over. As has been pointed out in the course of the debate, the placing of engines in a ship of war is a very different thing from placing them in a merchant ship. Less space is allowed, the engines have to be protected as much as possible, and in consequence the manufacturers have had their ingenuity very much taxed in their efforts to comply with the conditions laid down by the Admiralty. Moreover, some experience of the new engines is needed by those who have charge of them before they can work them altogether satisfactorily. In the last four years—from 1873 to 1876—the number of new steamships commissioned has been 48, 13 of which had engines of the old type and 35 engines of the new type. Of the former class three were not satisfactory. Cracks were found in some of the castings of one of them. Of the engines of the new type 10 have given trouble. But I have not yet exhausted the list of the hon. Member. The *Boadicea*, according to the hon. Member, "broke down" on her first trial. It is true that on her first trial her engines were not satisfactory, but after that they gave great satisfaction. What the hon. Member said about the *Invincible* was entirely new to me, and I hope he will supply particulars. As to the *Shannon*, she is not yet in commission, but there was an accident to a subsidiary engine on her passage from Pembroke to Devonport. Some foreign body got into a part of the machinery, and I do not think that is an accident which a Secretary of State could prevent any more than I can. The *Rover* and the *Opal* have both given great trouble. In the case of the *Opal* the machinery is still unsatisfactory, and the contractor has volunteered to send out a man to a distant station to have it put right. I have now, I think, gone over all the ships named by the hon. Member, and I hope I have satisfied the House that maladministration on the part of the Admiralty has really not been the cause of the defects, most of them insignificant, which have been mentioned. Hitherto I have been replying to the speech of the hon. Member. I should like now to say something respecting his Motion. As to the first part of the Motion I have already alluded to it, and as I understand it gets very little support, it is probably unnecessary for me to trouble the House further with reference to it. The second part, which refers to the Controller of the Navy and the superintendents of the dockyards, begins with a truism; but I object to putting it as a Resolution in the Journals of the House, because it must mean something different from what it purports. If the hon. Member accepted the present state of things he would not have brought forward the Resolution at all. I think that the present state of things satisfies literally the part of the Resolution to which I am now referring; but the hon. Member must mean that he wants to see some change. It has already been shown that the gallant officer who fills the post of Controller of the Navy has had special training fitting him for it. Indeed, I do not think you could pick out an officer who has had in the same degree the particular training needed for the post; and I am happy to tell the hon. Member for Lincoln that the Controller—his five years' term of office having nearly expired—has consented to accept a renewal of that term. With regard to the superintendents of the dockyards, the hon. Member is entirely mistaken in his notion as to the manner in which they are chosen. In nearly every case, even of the smaller yards, the officer selected has had some experience of administrative duties. With rare exceptions they have had experience either in dockyards at foreign stations or as captains of the Steam Reserve, and have been known in consequence as fit persons to be selected for those appointments, of the duties of which it is now implied they have no practical knowledge. It is a common practice to appoint a man so trained to the smaller dockyard, and if he showed himself efficient there, then to promote him to the larger dockyards. I need not go through the list; but the House will, I am sure, believe me when I say that that is the practice with the rarest exceptions. Then the hon. Gentleman contends that the rule should be altered which limits the tenure of office of those officials. With regard to the Controller, I have shown my sense of the importance of continuing in office a man of experience and one in whom I had confidence. As to Chatham, it is a dockyard the superintendent of which is an officer with the rank of captain, and it was necessary to appoint a man of that rank, because he has transactions with captains in the Service, to whom it was desirable he should be senior; but what was the consequence? Just as soon as he got used to his business, he was removed from his post on promotion, and on the 21st of July there was a memorial to the Queen in Council from the Admiralty to the effect that, whereas such frequent changes were detrimental to Her Majesty's Service, the Board should be empowered in the event of a captain superintendent obtaining Flag rank to retain such officer as admiral superintendent. That complaint, therefore, of which we have heard something this evening, has been already met at Chatham, though I am only a First Lord and not a Secretary of State. With respect to other appointments, I agree that it is well worthy of consideration whether the principle contended for ought to be extended to other dockyards. I deny, however, that men ought to be appointed permanently, for if they do not commit any serious fault it is exceedingly unpleasant to remove them; while if they are only appointed for a certain time, and they give satisfaction, there may then be a renewal of their term. That is a subject which is under consideration. We have been told to-night, especially by the hon. Gentleman the Member for Reading (Mr. Shaw Lefevre), that the responsibility of the superintendents is merely nominal, as was shown by the terms of the directions to them. I beg leave, however, to tell the hon. Gentleman that a change has been made in that respect, that the terms of the directions to them now are "you are to do so-and-so," and they are held directly responsible. This change was made last autumn. As to civilians being superintendents of dockyards, that is a question on which great stress has been laid by several hon. Gentlemen this evening. The hon. Gentleman the Member for Reading has told us that he has been to Cherbourg, and as given us the result of the inquiries which he made there. He, however, is not the only member of a Board of Admiralty who has visited foreign dockyards. During the last Whitsuntide, having a holiday, I went over some of the German dockyards, which I was anxious to see, because the German Navy was a new Navy, and they were a people who started without any prejudices. Well, I found there a Port Admiral—I forget what they call him, and I do not know whether I could pronounce the word even if I remembered it. I found a naval officer superintendent of the yard, and six instructors, as well as engineers, under him. That was the case at the two dockyards I visited, and I was exceedingly glad to see what came under my observation on that occasion, and that in what is virtually a new Navy the Germans had established that same system which we hear now condemned. On the question of naval and civil superintendents I have, I may add, no prejudices whatever. I have, at the same time, still to be convinced that to appoint a civil superintendent is right and a naval superintendent is wrong. The dockyards are not simply manufacturing, they are also repairing establishments, and the head of a dockyard is brought into constant communication with the captains of ships with regard to demands made for repairs and stores. That being so, I believe that if a civilian were at the head of the dockyard instead of a naval officer there would be a great amount of friction. And where, I wish to know, are you to get men to replace the naval superintendents, who have to deal, not only with materials, but large bodies of men, and who ought to be able to manage them? There is no officer now in the dockyards, however eminent his abilities in a particular line, fit to be placed at once in the discharge of those duties. It has been said in relation to the office of the Chief Constructor that we have taken a step backwards; but if we have taken a wrong step I think it is our duty to take a step backwards, and we found that too much had been put upon one man. It is of the greatest consequence that the Chief Constructor, formerly called the master shipwright, should be constantly about the yard, but if you send him into an office to look after stores you cannot have this. But, it is said, we have now altered the relations between the Constructor and the Engineer, and in all matters of construction is it not, I would ask, right that the Engineer should be subject to the Constructor? The hon. Member for Pembroke (Mr. E. J. Reed) called attention to the increasing imporance of one class of officers—the engineers. He had prepared us for his speech in this House by some able letters which he had already sent to the Press. But, although the hon. Gentleman might, perhaps, have caught the public eye with regard to this matter, he really was not the originator of the movement. Months before his letters appeared I had appointed a Committee to inquire into the question, and before his letters appeared the evidence given before that Committee had been under the consideration of the Admiralty. And, in answer to my hon. Friend, I stated the other day that when the Estimates were brought forward I should be able to explain what we intended to do. Therefore, I will not forestall that statement now. There was, however, one mistake made inadvertently by the hon. Member for Pembroke. He said—"Oh! the Admiralty have not a proper idea of the importance of the machinery in the engine-room, because in this matter they are only represented at the Admiralty by one official with a salary of £900 a-year." Now, the services of inspectors of machinery are wanted not so much at the Admiralty as at the ports, and, therefore, it is not necessary to have a very large engineering establishment at the Admiralty; but the hon. Gentleman is wrong in supposing that the engineering staff at the Admiralty consists of only one individual. There is one official at £900, two at £700, and two assistant engineers, who have been recently appointed, at £350 each, besides four draughtsmen.

Mr. E. J. REED was understood to say it appeared from the Papers that there was only one officer.

Mr. HUNT: I can give the hon. Gentleman the names of the officers. This was an illustration which the hon. Gentleman gave of the indifference of the Admiralty to the question of the machinery of ships. I venture, however, to think that the interests of the Service in this respect have been carefully considered by the Admiralty since last Session. I think the movement will be one in the right direction. I believe I have now gone through all the important matters which have been mentioned in this debate, though it has lasted so many hours that possibly I may have omitted some points. If I have not satisfied the hon. Member for Lincoln, I hope that I have, at all events, satisfied the House that the interests of the Navy, which are, in fact, the interests of the nation, are duly taken care of by the present Board of Admiralty.

Mr. SEELY proceeded to controvert the statements of the First Lord of the Admiralty, and said that no doubt he had done his best to condone the errors into which his Department had fallen. He would not, however, believe that the two years' and a-half experience of the Naval Lords was all that was requisite, and he did not think that if the holes in the *Vanguard* had been stopped she would have sunk. Whoever made the holes ought to have been called to account.

Question put.

The House *divided*:—Ayes 58; Noes 183: Majority 125.—(Div. List, No. 27.)

POOR LAW UNIONS AMALGAMATION (IRELAND).

MOTION FOR A SELECT COMMITTEE.

Mr. MACARTNEY called the attention of the House to the excessive number of workhouses in Ireland as compared to the number of Paupers requiring relief; and moved—

> "That a Select Committee be appointed to take Evidence and Report as to whether any Amalgamation of Poor Law Unions in Ireland is desirable; and, if so, in what manner and to what extent such amalgamation should be carried into effect."

The hon. Member stated that his object was to show that practically there was a great deal more workhouse room in Ireland than required; indeed, he might state that it was about six and a-half times too much, and consequently he thought it might be considerably reduced.

Mr. O'SHAUGHNESSY, in seconding the Motion, said, that the question was one of considerable difficulty. The local circumstances of each county would have to be considered, and the hon. Member had exercised a wise discretion in asking for a Select Committee to inquire into the whole question. They would require to act with caution, and it was high time the inquiry should be made. He suggested that enlarged powers might be given to the Local Government Board, so that there should be a Common Fund for each county, so that the overtaxed portions might be relieved. A very close and watchful inquiry would be necessary; for in every case where there was an attempt to displace existing institutions, we would have vested interests anxious to retain their situations. The proposed amalgamation was not without dangers in certain quarters; but these might be overcome by strengthening the Local Government Board. Much had been said about the undue powers of the Local Government Board; but if that Board were given additional powers, resulting in additional economy, he believed the people of Ireland would be satisfied. If in each county a common fund were created, and if that were brought to the aid of the portions of the community overtaxed, amalgamation might not only take place where possible and advisable, but we might do a great deal to solve the question as to Poor Law relief arising in Ireland. He was sure an inquiry was called for.

Motion made, and Question proposed,

"That a Select Committee be appointed to take Evidence and Report as to whether any Amalgamation of Poor Law Unions in Ireland is desirable; and, if so, in what manner and to what extent such amalgamation should be carried into effect."—(*Mr. Macartney.*)

MR. BRUEN did not oppose the Motion, but hoped that care would be taken not to neglect the interests of the sick poor, who could not be conveyed over long distances without great increase to out-door relief.

CAPTAIN NOLAN thought a case had been made out for inquiry.

MR. KING-HARMAN, in supporting the Motion, said, experience went to show that it was not the Unions far distant from each other that were unfavourable to amalgamation, but those near to each other.

SIR MICHAEL HICKS-BEACH said, that those who had had great experience in Poor Law Administration in Ireland had not hitherto deemed it advisable to take any active steps in the direction which appeared to be desired by the House. The idea of amalgamation had been taken up by certain Unions, in the belief that it would effect a saving to them of so many pence in the pound, and by others in the hope of reducing the establishment charges. Of course, where there were few paupers in a workhouse the establishment charges were greater per head than when the workhouse was full; but it must be remembered that the mere fact that there were a great number of vacancies in a workhouse did not necessarily increase the cost of the establishment properly so called; and the mere cost of maintaining unnecessarily extensive buildings was a very little additional expense. It was well known that the area of the Unions in Ireland was much greater than that of the English Unions, none being smaller in Ireland than 50,000 acres. He believed that for this reason the amalgamation of Irish Unions, save in one or two instances, would cause great inconvenience to the Guardians, as well as to the sick and other persons requiring relief; or else great laxity in its administration. The amalgamation of workhouses was a different thing, and perhaps some system might be adopted like that adopted in London, it being understood that great care must be taken not to increase out-door relief. The law regulating the grant of out-door relief was more strict in Ireland than in England; but, in spite of this, out-door relief was dangerously growing, and he hoped nothing would be done to increase that growth, or to diminish the strictness with which the Poor Law system was administered by the Guardians in Ireland. He did not intend to object to an inquiry into this subject. He questioned very much whether it had not better be conducted by a local Commission, and doubted whether any greater result would arise from the Select Committee than a recommendation that a Commission should be appointed to investigate this matter locally. If the hon. Gentleman would not press his Motion to-night, he would make careful inquiry himself into this subject, and would ascertain whether it was not one which had better be entrusted to a local Commission. He would undertake that this should be investigated, and if it was not found desirable, he would then be prepared to agree to the appointment of the Committee which the hon. Member desired.

MR. MACARTNEY highly approved of this proposal.

Motion, by leave, *withdrawn.*

THAMES RIVER (PREVENTION OF FLOODS) BILL.

Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House, and Five by the Committee of Selection.

Instruction to the Committee, That they have power to inquire into and report upon the most equitable mode of charging and meeting the expenses to be incurred under the Bill.—(*Sir Henry Selwin-Ibbetson.*)

METROPOLIS TOLL BRIDGES BILL.

Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House, and Five by the Committee of Selection.

Ordered, That all Petitions against the Bill, presented on or before the eighth day after the Second Reading of the Bill, be referred to the Committee, and all Petitioners entitled to be heard be so by themselves, their Counsel, agents, and witnesses upon their Petitions, if they think fit, and that Counsel be heard in support of the Bill and against the Petitions.

Ordered, That the following Reports of Select Committees of this House, and the Evidence taken before them, be referred to the Committee on the Bill: namely, the Committee of 1865, upon the Metropolitan Toll Bridges Bill and the Chelsea Bridge Toll Abolition Bill; of 1876, upon the Toll-paying Bridges over the Thames, and upon the Metropolis Toll Bridges Bill.

And, on March 15, Committee *nominated* as follows:—Mr. STANSFELD, Sir CHARLES RUSSELL, Sir JAMES M'GAREL-HOGG, Mr. CUBITT, Mr. WILLIAM HOLMS, and Mr. Alderman M'ARTHUR:—That the Committee have Power to send for persons, papers, and records; Five to be the quorum.

MUTINY BILL.

On Motion of Mr. Secretary HARDY, Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters, *ordered* to be brought in by Mr. Secretary HARDY, The JUDGE ADVOCATE GENERAL, and Mr. STANLEY.

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 7th March, 1877.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—County Courts Jurisdiction Extension * [110]; Drainage and Improvement of Lands (Ireland) Provisional Orders * [108].

First Reading — Mutiny *; Companies Acts Amendment (No. 2) * [109].

Second Reading—Referred to Select Committee—Ancient Monuments [16].

Considered as amended—Beer Licences (Ireland) * [101].

Third Reading—Consolidated Fund (£350,000),* and *passed*.

Withdrawn—Companies Acts Amendment * [45].

ANCIENT MONUMENTS BILL—[BILL 16.]

(*Sir John Lubbock, Mr. Beresford Hope, Mr. Russell Gurney, Mr. Osborne Morgan.*)

SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK said, that a Bill of the same kind as this had been so frequently before the House, and its principle had been so frequently affirmed, that he should not detain them by offering any arguments in support of the measure, but would now simply move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Lubbock.*)

LORD FRANCIS HERVEY rose to move that the Bill be read the second time that day six months. A similar proposal had already so frequently been before the House, and had been read a second time, that if the author of the measure had shown any serious disposition to meet the objections of those who thought it was pitched in too high a key, he should have been loth to move its rejection. But the hon. Baronet (Sir John Lubbock) had taken no step of that kind, his present Bill being, with one or two unimportant variations, identical with the one he introduced in 1875. He would not now repeat all the objections to which the measure was open; but he might remark that he thought the hon. Baronet was too sanguine, and relied a little too much on the majority which he obtained on a former occasion. He must be excused for saying that that majority was obtained upon false pretences. He did not, of course, mean that the hon. Baronet had been guilty of such practices; but it had so happened—as was sometimes the case on Wednesday afternoons—that there were few Members in the House when the reasons in its favour were brought forward, and a much greater number were present after luncheon, when sentiment generally predominated. That was what happened in regard to this Bill two years ago, when, after the hour he had named, the House swarmed with enthusiastic Members, who really thought the measure would preserve the glorious old abbeys and the historical castles scattered throughout the kingdom—one hon. Gentleman, who then spoke under that impression, waxing most eloquent and romantic under his inspiring theme. The one thing which the Bill did not do was to provide in an effective manner for the preservation of monuments of that description; yet the archæological fervour of Members was raised to such a pitch that hon. Gentlemen who had no extraordinary love for that Bill were led to believe that the measure would preserve works of great artistic merit and monuments of considerable historic importance. But what were the monuments to be preserved under the operation of this Bill? The Preamble said it was desirable to preserve certain ancient national monuments, the Commissioners were to be called the National Monuments Commissioners, and the Act was to be styled the National Monuments Act. But when they looked to the operative provisions of the measure, they found the important word "national" entirely dropped out—that word was altogether omitted from the clause which gave compulsory powers to the Commissioners—and there was no adequate security that the monuments to be preserved under the Bill would be monuments of such importance or interest as really to deserve the style and title of "national." What was a national monument? The Bill gave no information on the point, and they were left to find out as best they might what sort of thing all its elaborate machinery was intended to preserve. He did not think old stones scattered here and there, or a broken slab with an incised cross upon it, could be properly regarded as national monuments; they might very well be put into a museum, or left to take the chances of wind and weather, which they had stood so long. For his part, he could not admit that half the monuments which it was proposed to schedule really deserved to be called national; while, on the other hand, many quite as interesting as any of those included in the schedule were omitted. Some ancient monuments, again—such as Watling Street and Devil's Dyke — extended over a considerable tract of country, and he wished to know to what extent the Commissioners were to exercise their powers in such cases, and what amount of interference occupiers and owners of land were required to put up with? In connection with this subject, he might refer to a discovery which was made towards the close of last year on the site of an old building at Oxford, on which it was proposed to build schools. The ground was found to be honey-combed with round holes, and immediately the place swarmed with antiquaries, who declared them to be a British village. A British village, of course, was a rare find—almost unique—and it was easy to imagine the rapturous excitement those round holes created in antiquarian circles. It was true the sceptical mocked and scoffed at the antiquaries; it was even insinuated that the round holes were nothing more than old cesspools; but the antiquaries were determined that it was a British village, and nothing else. Now, he would just beg the House to consider the inconvenience that might arise in such cases if the Commission proposed in the Bill was at work. People who wanted to have some works of utility carried out might be put to a great deal of trouble and expense, and possibly litigation, merely to obtain what was their own. Were all the monuments which it was proposed to preserve really of a character to call for such strong interference as the Bill would exert? One could conceive what an amount of enthusiasm would be aroused even in the most Philistinic Members of the House by the thought that any of those great old ruins which we all admired were in want of preservation. But artistic beauty was not at all a feature of the monuments which were to be preserved by this Bill. There were, no doubt, many noble historical monuments in this country which we could ill afford to lose; but when there was anything worth preserving people preserved it. The Bill was not wanted for that. It was only when you had something not worth preserving that you had to fall back on the operation of the law. For instance, there was no provision in the Bill for preserving Newstead Abbey —yet, surely, Newstead Abbey was a monument of national interest—that was not in the Bill. Again, Stonehenge was a monument of great antiquity and interest—it was a national monument, and such monuments would be preserved without requiring the protection of an Act of Parliament. For the most part the monuments to be dealt with by the Bill had no striking historical or sentimental associations. The more uninteresting a monument was, indeed, the more likely it was to get into the Schedule. He could sympathize with anybody who desired to preserve monuments of antiquity and of great historical interest which were connected with some page in our history, some famous battle, some striking deed. All that was perfectly intelligible and reasonable. What he did not understand was that Englishmen should be called upon to exhibit enthusiasm for the monuments of that barbarous and uncivilized race whom our forefathers took the trouble to expel from the country. Our forefathers came from beyond the sea, and drove out those wretched people. ["Oh!" *and laughter.*] Well, if they did not, where were they? And were we now to be re-invaded by the Celtic race in this country? He begged to explain for the satisfaction of the hon. Member for Louth (Mr. Sullivan) and his compatriots from the other side of the Channel that in speaking of the Celtic race he meant the Cimri. He did not quarrel with his Irish Friends for wishing to preserve their round towers and mounds—what he objected to was their preserving ours—the relics of the ancient Britons—which were destitute of all art and of everything that was noble or that entitled them to preservation. ["Oh!"] These were the reasons why, in his opinion, this Bill was a bad one. Its machinery, to his mind, was still more objectionable than its objects. The Commissioners were to have pretty much their own way in everything, untrammelled by the reasonable safeguards which were adopted in ordinary cases. They were to be exempt from rates, and yet were to have unlimited power, with the consent of the owners, for acquiring landed property. They were to have power to interrupt measures of public utility and sanitary works — and that without going through the forms and ceremonies required in all other cases. However important a municipal undertaking, for instance, might be, if it interfered with a monument, three months' notice, at least, had to be given to the Commissioners before a stone could be touched or a sod dug. That was a long interval to allow. While the Commissioners were leisurely considering whether they would preserve their monument or not, the town or district concerned might be ravaged by typhoid fever. Surely, these monuments were not of such importance as to justify the House in subjecting the public to a great amount of inconvenience and even danger for their sake? During that period of three months more harm might be done in a single district than good could be effected by the existence of the Commission at all. And here he had to say that he did not see why there should be a permanent Commission sitting to look after these monuments. He would make an offer to his hon. Friend with regard to this point. If he (Sir John Lubbock) would put into the Schedule of the Bill all the monuments of prime importance and interest which he thought it necessary to preserve, he (Lord Francis Hervey) would withdraw his opposition. He thought it was a fair and reasonable proposal to make, because monuments did not grow—you could not get a set of fresh ancient monuments whenever you liked. The promoters of the Bill no doubt knew what monuments they wanted to preserve, and they could surely schedule them at once, and thus render a permanent Commission unnecessary. If the Commission were allowed to run on indefinitely, they would for the sake of showing their *raison d'être* go on securing sites which really did not require to be secured, or which were of little or no importance. He had now given his reasons for opposing the second reading of the Bill. If the hon. Baronet opposite saw his way to make the concession he had indicated, he was ready—not being a Philistine, not being a Vandal, and not being a Goth—to meet him half way. If, however, the hon. Baronet still persisted in vexing people with his Bill in its present form, he should feel bound to persevere in the Motion with which he now concluded—namely, that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Lord Francis Hervey.*)

Mr. BERESFORD HOPE remarked that the House often listened to the noble Lord with pleasure and edification, and always with amusement. Those were the feelings which he must confess to in regard to this last utterance. His noble Friend explained that he was looking at the Bill neither as a Goth, a Vandal, nor a Philistine. Well, then, he supposed it must be as an insular Englishman. At the same time, as a supporter of the Bill, his particular thanks were due to the noble Lord on this occasion for having adopted a line of argument which was calculated to induce every Member of a Welsh constituency to go into the same Lobby as the hon.

Member for Maidstone (Sir John Lubbock). He had never heard a speech more destructive of itself than that of his noble Friend. His main argument was that certain monuments were not beautiful, and that they did not mark any particular incident in history. But those remains, though they did not tell a story to his noble Friend, were full of interest to the student of pre-historic times, and certainly deserved a better fate than to be demolished by the navvy's shovel and crowbar. Castles which were interesting on the face of them did not require protection; it was because these smaller remains were so helpless in themselves and so liable to be misunderstood by the uneducated mind, or even by the mind of his noble Friend, that they were cared for in the Bill. In fact, the estimate which his noble Friend, at this time of day, had formed of these remains was in itself an overwhelming argument for some measure of preservation. To him they were, without shadow of doubt, "ancient rubbish." In the course of his studies—cultured as they knew him to be—he had never come across a theory or a discovery which had led him to realize that their date and the ethnology of those who raised them were questions as interesting as they were difficult. He himself (Mr. Beresford Hope) had only a literary roving general acquaintance with the science of pre-historic Research, but this acquaintance was enough to make him appreciate that the testing of all these matters, which his noble Friend so easily took for granted, was an irresistible argument for keeping intact that evidence on which the investigation must proceed. But his noble Friend had other arrows in his quiver. The argument that these monuments might go because they were not beautiful was beside the question unless discriminative legislation of the kind were made general. For instance, the hon. Member for Manchester (Mr. Jacob Bright) ought to permit no women to have the franchise, except those whom a jury of bachelors pronounced to be good-looking. But his noble Friend had his savage mood. "Away with those relics of a conquered race! We have conquered the savages, perish then their memorials!" he exclaimed. Well, if there was one step in civilization which the human race in his (Mr. Beresford Hope's) opinion had made, it was that it was no longer thought expedient or right or commonly descent to signalize a triumph by destroying or allowing to be destroyed the monuments of the conquered. His noble Friend was so ruthless and coldly vindictive as to propose, after a lapse of 1,800 years, to do that which Generals were hardly to be excused for doing on the morrow of a great victory. Had he lived some 2,000 years earlier, and stood beside the great Macedonian at Thebes when Alexander

> "Bade spare
> The house of Pindarus, when temple and tower
> Went to the ground."

His noble Friend would have pleaded to destroy that house of the poet who had sung the great deeds of the enemy. Had he gone on to Persepolis he and not Thais would have snatched up the brand to consume the palace of the Great King. But all the objections which his noble Friend had made were really matters for Committee. After opposing the Bill on the Vandal ground, on the Philistine ground, on the ordinary, unsophisticated Englishman ground, and on the "no Welsh need apply" ground, he said he would withdraw his opposition if the hon. Baronet would make certain alterations in his measure enumerating the monuments which were worthy of preservation. In other words, the noble Lord was really a more enthusiastic and utopian supporter of the Bill than the hon. Baronet himself. He wanted to have it in its most perfect form. Ancient monuments were not limited, but they did not grow up like mushrooms, and he desired to include everyone. Well, if the noble Lord would make the change he proposed, the hon. Baronet would no doubt accept it gladly. The Bill at present could only come before the House in an incomplete form, and as a step towards that state of perfection in which his noble Friend desired to see it, he (Mr. Beresford Hope) trusted it would be read a second time.

MR. LEIGHTON said, that, speaking from the antiquarian point of view, he entirely admitted the wisdom of preserving our ancient monuments; but he opposed the Bill, because he did not think that it would adequately effect that object. It was insufficient in protecting only certain monuments and not all monuments. He should put aside all the arguments brought against the Bill on the score of a fancied infringement of private rights, because he thought such arguments exaggerated, and he should address himself to the true question—namely, the best means of preserving historical monuments. He maintained that the learned and voluntary societies of antiquaries should do this work, and not the Government. Thus, public opinion would be enlisted on their side. Had the hon. Baronet applied to such societies, instead of applying to Parliament, the threatened monuments might already have passed into safe hands by the ordinary process of bargain and sale. Before asking Parliament for extraordinary powers the powers of the law should first be tried. There existed in the minds of most men a veneration for the antiquities of their own neighbourhoods. They felt a sort of part ownership with the actual owner in them. This patriotic and almost religious sentiment should be encouraged and intensified; but Government ownership and official inspection would destroy it. By remodelling the antiquarian corporations and affiliating to them the local societies; by giving them if necessary, powers similar to those accorded to every railway company, the preservation of ancient monuments might be carried forward throughout the land, without arousing the vague apprehensions created by this Bill; without dividing historical remains into classes and thus breaking historical sequence; without the necessity of applying to Parliament for public money, for the societies would proceed by private subscription, and so without the danger of such application being refused. Perhaps the worst clause in the whole Bill was that which proposed to give the custody of monuments to Boards of Guardians and Town Councils. There was not a town in the country which did not bear witness to the bad taste of such Bodies. The hon. Baronet who was himself accustomed to read the future by the past would surely agree with him that in every country and every age the Governments of the day had been the greatest of iconoclasts? They owed the destruction of the beautiful abbeys of England, not to the people of England, who often received hospitality at their gates, but to the Government of Henry VIII. They owed the destruction of the castles of England, not to the people of England, who often found safety within their walls, but to the Government of the great Protector; and if in their own days, and almost before their eyes, he desired another example, he would ask them to remember the destruction which the Communist Government of France—the *de facto* Government of the time—wrought upon the fair historical glories of Paris. For these reasons he should support the Amendment.

Mr. GRANT DUFF: I wish to say a word about this Bill for several reasons, but chiefly because ever since it was much talked about in the country, my constituents at Elgin have perseveringly petitioned for it. Why, I do not exactly know, but, I presume because they have had experience of the advantage of having a public authority to look after the ruins of their Cathedral, which takes so high a place amongst the ecclesiastical remains of the Scottish Middle Age. The noble Lord opposite (Lord Francis Hervey) complains that the Bill does not propose to preserve mediæval monuments. But why does it not do so. Because these are, it is to be hoped, already protected by all the intelligent members of the community. If such an Act had been passed in the beginning of this century it would probably have preserved many architectural treasures which are now lost to us; but Sir Walter Scott and the Oxford movement of 1833 between them have saved us from the reproach of neglecting our Middle-age antiquities. Interest in the antiquities to which this Bill applies awoke much later. Many of them have gone irreparably; but the House will, I trust, interfere just in time to prevent many objects being destroyed which posterity would bitterly regret, for the science of prehistoric archæology, the science which teaches us to spell out from the records of the past the unwritten story of mankind, is quite a new science, and in 30 years people will be far more familiar with it than they are now. Then the noble Lord sneered at the Celtic race. That was rather hard on Irishmen and Scotchmen; but he is a clever child who knows his own father, and I strongly suspect that the noble Lord is himself descended from the Celtic race. Nay, I believe that when prehistoric archælogy is more developed it will disclose that there is reason to believe that the noble Lord's ancestor was a Celt who sailed to the Levant with a return expedition from the Cassiterides; that he settled in Philistia, found the climate suit him, lived there, and prospered. In after-time one of his descendants, nearer ancestor of the noble Lord, married a daughter of the giant, which explains at once the noble Lord's valour in rushing to the attack, and his frequent discomfiture. Then the noble Lord told us that the proceedings of the Commissioners might interfere with health. So they might, just as the sky might fall and smother the larks; but not otherwise. Turning to the hon. Member for Shropshire (Mr. Leighton), I find that he thinks that our national monuments can best be preserved by interesting the masses of the people in them. Of course, that is true, but how long will it take to get farm labourers to appreciate pre-historic antiquities, when an educated man like the noble Lord holds them so cheap? In the meantime frightful mischief may be done. I have myself seen monuments of this kind destroyed, simply because the country people did not know what they were. The hon. Member would like the archæological societies to do the work, but they have not the necessary organization. The machinery of the Bill is much better. It proposes seven Commissioners, all men in whom we may have implicit confidence, and gives them very moderate and limited, though sufficient, power. The Bill has really no bearing at all on the rights of property. Its only bearing is on the wrongs of property. It does not come into action at all till a man ceases to use and begins to abuse his rights. The 5th clause guards the sacred right of doing mischief in the most effective way, for the owner can force the Commissioners to give him an answer within three months. They must either let him do as he likes, or pay a fancy price for their interference. Then, if anyone is aggrieved by them, he may appeal to a Judge. The hon. Member sat down, complaining that Governments had often been iconoclastic. So they had, and the hon. Baronet the Member for Maidstone (Sir John Lubbock) brought in his Bill for the express purpose of making one Government the opposite of iconoclastic.

Mr. DALRYMPLE said, he was glad that the hon. Baronet the Member for Maidstone had availed himself of his right, and postponed his speech to the period of the debate when, according to the noble Lord the Mover of the Amendment, sentiment predominated. His (Mr. Dalrymple's) impression was, that it was earlier in the debate that sentiment predominated, and that it was at the close of the discussion that the common-sense of the House prevailed. The noble Lord made a variety of charges against the Bill, some of which he had made before, and some of which were new. The noble Lord had referred to the Schedule of the Bill, and had remarked upon the exclusion from that Schedule of some of the most remarkable monuments of the country; but surely it was obvious that to include in the present measure such places as Fountains and Tintern in England, and Dryburgh in Scotland, and such as the seven churches in Wicklow, would have been ridiculous, and an affront to the different parts of the country in which those monuments were situated. The interest in those structures was such that they would be effectually protected without being inserted in an Act of Parliament. He (Mr. Dalrymple) had the authority of the hon. Member for the Elgin Burghs (Mr. Grant Duff) for saying that the Schedule had been drawn up by the Archæological Society in a way most likely to secure the preservation of monuments that were now in comparative obscurity. Looking at the quarter from which the Schedule came, he thought the House might safely accept it without much scrutiny. On the last occasion when the Bill was before the House, the hon. Member for North Wiltshire (Sir George Jenkinson), speaking at a late period of the debate, spoke of the Bill as an interference with the rights of property. Those who raised that contention should carefully examine the Bill, and he was convinced they would be relieved from any anxiety on that score. Others spoke of the interference with private rights, and one hon. Member had said to him—"I cannot have this or that man coming into my property and capsizing everything." Now, it was for the very opposite purpose of securing the maintenance and preservation of what was valuable on private property that the Bill was framed; and it was an obvious remark to make that in those parts of the country where most care was taken of existing monuments, there would be the smallest interference. The noble Lord referred to the appearance of the pre-historic man in the Bill. Well, he (Mr. Dalrymple) would not enter on so learned a question; but he confessed that it was to him an interesting fact that the author of the Bill should be so learned a Member of the House as the hon. Baronet, in whom he believed that most people recognized a future President of the British Association. No one desired to interfere with the Archæological Societies, or to supersede their labours; and the more these Societies did, the less work would be left for the Commissioners under the Bill. No one who had any anxiety about the Bill could look at the names of the Commissioners without having the anxiety removed. The last of the names of the Commissioners was that of Dr. Stuart, who had done such good service in connection with the Historical Manuscripts Commission, and just as Dr. Stuart, in reference to the historical manuscripts, had induced many persons to enjoy the wonderful possessions which they had, so the Bill of the hon. Baronet the Member for Maidstone was likely to preserve to the country a variety of monuments which, from ignorance or through local improvements, were liable to be removed. He (Mr. Dalrymple) had voted formerly for the second reading of the Bill, and he hoped that, notwithstanding the opposition which it had met with from the noble Lord and from others, the House would read it a second time to-day.

Mr. WATKIN WILLIAMS said, he joined with some regret in the opposition to the Bill, because he respected the purpose which the hon. Baronet had in view; and he altogether disclaimed any sympathy with the sentiments of the noble Lord who had moved the rejection of the measure (Lord Francis Hervey). He was a native of a county in which ancient monuments, castles, tumuli, and camps were far more numerous than anyone would imagine, and therefore as a Welshman it was impossible for him to regard without interest the preservation of those ancient remains. If it had been proposed to deal only with recognized monuments such as Denbigh Castle, Carnarvon, Conway, and Ruthin Castles, and many others he might name, he certainly would have had nothing to say against the measure. But the number of objects which might be regarded as ancient monuments under this Bill was enormous. The definition given of "ancient monument"—it did not deserve to be called a definition—was "anything which may be regarded by the Commissioners as a monument, or a place where a monument has existed." In his own district there was hardly half a mile in which there were not three or four of these "ancient monuments;" but there were also on the hillsides many tumuli and mounds of various kinds as to which there was great doubt whether they were ancient at all. When he looked at the Bill he was alarmed at the immense power which it proposed to give to interfere with the rights of private property. He was not afraid of the great landed magnates, for they could take care of themselves; but in the Principality to which he belonged there were a great many small proprietors who could not defend themselves against invasions of the kind contemplated. On land in his own occupation there was an object which an archæological friend of his had regarded as an ancient tumulus or an ancestral tomb. When he (Mr. Watkin Williams) was going to remove it for some agricultural purpose, his friend remonstrated with him and assured him it was one of the most interesting tombs in the neighbourhood. When asked whether he had examined it, he said he had, and that it was obviously an ancient tomb. In point of fact it was an old limekiln which had been out of use for probably about a century. Similar instances might, he believed, be multiplied. With regard to the appeal which it was proposed to allow, he desired to point out that no principles were laid down on which the Court was to proceed, and in conclusion he entered a humble protest against the Bill in its present form.

The ATTORNEY GENERAL, premising that his observations expressed merely his own opinion, and that he did not speak either for the Government or any of his Colleagues, said, that he sympathized to a great extent with the hon. Baronet (Sir John Lubbock) in the object he had in view, but could not approve the means by which he proposed to accomplish that object. His objections to the Bill were, that it gave the Commissioners not only very extensive, but also very uncertain, vague, and indefinite powers; that it proposed to interfere very seriously with the existing law of settlement; that it would also interfere greatly with the rights of private property; that it would introduce into the legislation of this country a principle which, if acted upon, would, in his humble opinion, produce very disastrous consequences; and lastly, he objected to the measure that it was unnecessary. The powers conferred on the Commissioners under the 3rd clause might be exercised not only with respect to the monuments specified in the Schedule, but also with respect to any British, Celtic, Roman, or Saxon remains, or any monuments which in the opinion of the Commissioners were of a like kind to those specified in the Schedule. Now, it would be very difficult for the Commissioners to say what monuments were "of a like kind;" but he supposed it would be quite open to them to apply the provisions of the Bill to every monument which might come under the designation of a British, Celtic, Roman, or Saxon monument. Well, how would that operate? In some parts of the country there were Roman roads running it might be for miles through the estates of private individuals. If the owner of one of these estates proposed to interfere, it might be for some necessary purpose, with a portion of the road, were the Commissioners to be empowered to put a restraint upon his action in reference to his own property—were they to be empowered to purchase from him the whole of the property? Take the case of the old Roman Wall, which extended at a point east of Newcastle to the Solway Firth. Were the Commissioners to be empowered, on the slightest interference with it by the local proprietors, to buy up the estates through which it ran? If they had that power they might come into possession of a vast amount of property. This was, perhaps, an objection which might be removed by an Amendment enabling the Commissioners to deal only with the portion of the estate where the monument existed. But the Bill proposed also to alter the power of settlement. If an estate upon which there was one of the monuments in question was in settlement, the tenant for life, or any one who might happen to have the property for a term of 50 years, would be entitled to dispose of that monument, although the owner might have regarded it as the most valuable part of the estate. It would not be surprising if a tenant or lessee, who cared less for the ancient remains than for some ready cash, was found willing under these circumstances to part with what had been esteemed the dearest part of the possession. A Bill that went to that extent seemed to him to be open to very considerable objection. As to interference with the rights of property, he quite admitted that where there was a great public necessity—arising, for example, from sanitary considerations or from the need of communications between one part of the country and another—private rights must give way. But was there any such necessity in the present case? He thought not. He feared there was a growing desire on the part of hon. Gentlemen opposite to make private rights subservient not only to public necessity, but also to public convenience. It was now contended seriously that commons should be dedicated to the public; and perhaps it would be contended some day that because the public had been allowed to enjoy parks which private individuals had thrown open the owners ought to be restrained if they wished to close them. If they adopted the principle of the Bill in this respect, where was its application to cease? If they were going to preserve at the expense of private rights everything which happened to be of interest to the public, why should they confine the legislation to those ancient monuments? Why should they confine the Bill to British, Roman, Saxon, or Celtic remains? Why should they not equally provide for preservation of the mediæval monuments—of those old abbeys and castles which were quite as interesting as the Druidical remains? And why should they stop even there? Why not impose restrictions on the owners of pictures or statues which might be of great nationa interest? If the owner of the "Three Marys" or of Gainsborough's "Blue Boy" proposed to send it out of the country, were they to prevent him, on the ground that the matter was one of national concern? If they said that a certain circle of stones was of such national interest that an interference with private rights was justifiable in order to preserve it, might they not also say that a certain row of beech trees on a man's estate which gave great pleasure to persons passing by ought in the same manner to be preserved? If the logical consequences of acting on the principle of the Bill were carefully considered, he thought the House must come to the conclusion that it was not desirable to adopt that principle. He was not aware that any of those ancient remains had been very seriously interfered with; and such monuments as were mentioned in the Bill were, he thought, likely to be objects of such great interest to those on whose property they happened to be situated that they would not permit them to be ploughed up by the tillers of the soil. It was only in cases where it might be profitable to a man to turn over some portion of his estate to building purposes that there was any real danger to them of destruction or injury, and in such cases the remedy was perfectly easy, for societies like the Archæological Society might buy the property, which would in all probability be in the market. For these reasons he felt it to be his duty to record his opposition to the Bill.

Mr. SHAW LEFEVRE said, he had heard no argument advanced against the second reading which, in his opinion, might not be easily obviated by some concessions which he had no doubt his hon. Friend the Member for Maidstone (Sir John Lubbock) would not object to make. He thought that when they were in Committee they could define with some degree of accuracy the monuments, tumuli, and other things, which it was sought to protect by the Bill—they would, in short, be able to lay down a definition of what the Commissioners were to deal with. As to the Commissioners being liable to be taken in by a limekiln, as the hon. and learned Member for Denbigh (Mr. Watkin Williams) had suggested, he could only say that he did not believe they would be so unwise as to take anything under their charge which was not in itself worthy of protection. There was, he might add, at present no law which would enable an owner of property practically to dedicate to the public any ancient monument on his land, and that defect the Bill would supply. As to the argument of the hon. and learned Attorney General, that its operation would interfere with the rights of property, he would merely observe that it appeared to him to have been framed with the utmost regard for those rights—the object of the Bill was to enable a public authority to buy from the owner the right of destruction. That some such measure was required was clearly proved, he thought, by the case of Cæsar's Camp at Wimbledon, which the owner of the property—who, he regretted to say, was a Member of the House—preferred to destroy—although £5,000 or £6,000 had been subscribed to buy it—rather than take the money; an act of Vandalism which the law, as it stood, was powerless to prevent. He might add that his hon. Friend the Member for Maidstone had mentioned to him since the debate began the case of a Druidical circle at Avebury which was about to be destroyed had he not stepped in and purchased the property on which it was situated. But should the Bill pass, it was his confident belief that the landowners, as a rule, would be prepared to place the monuments on their estates under its operation. There existed in France a Commission for the Preservation of Historic Remains similar to that which it was now proposed to establish, and which included within the scope of its duties the maintenance of ancient chateaux and churches. He had a letter not long ago from one of the Commissioners, who stated that, although they had no compulsory powers, yet they had not known a single owner to refuse to give his assent to the preservation of the monuments on his property. There were, he might add, no fewer than 800 or 1,000 of such remains under the protection of the French Commission and a sum of £40,000 a-year was voted for their maintenance. The Bill therefore, in his opinion, was a step in the right direction, and would, he believed, preserve some of the most interesting historical monuments in the country.

Mr. GREGORY said, that the Bill contained several provisions of a somewhat arbitrary and objectionable character. It conferred very large powers on the tenant for life to deal with the property in question, and there would be some difficulty as to furnishing the money for the purchase of the estates which the Commissioners might have to buy, seeing that it was to be provided by Parliament; but he was, nevertheless, prepared to admit that the object which the supporters of the measure sought to attain was a desirable one, and he did not think the Bill ought to be rejected at its present stage. The evil of which complaint was made might, however, he thought, be obviated or mitigated without its being necessary to pass the Bill in its present shape. It was, so far as he could see, a very fair proposal to ask for the appointment of a Commission, with power to superintend and maintain our ancient monuments; and if that could be done with the consent of the owners, so that the arrangements might be based on a voluntary footing, the objects of the Bill might be substantially carried into effect. As for the tenant for life, he might be enabled to hand over to the Commission the custody of any monuments on his estate, while the interests of the remainder man might be protected by affording him an opportunity of objecting, if he thought fit. If they got into Committee he hoped they might be able to make the Bill a good one; but he thought, on the whole, that the best course to adopt would be to refer the Bill to a Select Committee.

SIR GEORGE BOWYER thought the Bill was one which commended itself to all who took an interest in the historical monuments of the country; but, at the same time, he could not but admit that its clauses required careful consideration, so as to guard against any violation of the rights of property, and to guard the public purse against an expenditure on what were worthless as ancient monuments. He did not expect the Commissioners would mistake an old limekiln for the remains of a Roman or Saxon castle; but they all recollected how Mr. Oldbuck, in *The Antiquary*, was undeceived by Edie Ochiltree in regard to his purchase of the Roman camp, when the old bedesman said, "Pretorian here—Pretorian there—I mind the biggin' of it." Although the Commissioners might not have to be reminded of any such mistake, still they might err on the other side, and not preserve some monuments of the greatest historic importance. Looking to the Schedule, for instance, the Roman and Saxon monuments set out there were either stones or earthworks—thus leaving out of the scope of the measure such a building as Richborough Castle, one of the finest remains of Roman brickwork in England. He objected further to the constitution of the Commission. He could not understand why the Master of the Rolls was put at the head of it. That learned Judge was already overburdened by his judicial functions—and though the present occupant of the office was able to do the work of two men—or of half-a-dozen, for that matter—it did not follow that his successor would be a man of equal powers. In his opinion, the best way would be to appoint a Commission of 12 Members—four for each of the three Kingdoms, England, Ireland, and Scotland. He would leave it to the Chancellor of the Exchequer to say where the money was to come from.

MR. CAVENDISH BENTINCK said, the remarks he was about to make represented merely his own views, and not those of the Government. He confessed he was filled with astonishment at the statement made by his hon. Friend the Member for Reading (Mr. Shaw Lefevre) and other hon. Members, that this measure, so far from being an invasion of the rights of property, was a protection of them. For its contradiction there was the main principe of the Bill, which took from the owners of property those safeguards which hitherto it had always been the practice of Parliament to accord to them in analogous cases. The Bill had been ruled by the authorities to be a public Bill; but surely the owners of property ought to be entitled to the same power of resistance as they would have if it were a private Bill, by appearing by their counsel and agents before a Select Committee. Any appeal which was made against a decision of the Commissioners was now to be submitted to a single Judge, who would have very scant powers, and a jurisdiction whose extent it would be very difficult to define. If the Judge agreed with the Commissioners that the property should be taken, the owner had no appeal from his decision. If, however, this Bill had been held to be a private Bill, the owner of property would have had many opportunities of opposing it. The present measure was based upon and embodied many of the provisions of the Defence Act of 1860, which was one of the most stringent and arbitrary Acts that ever appeared in the Statute Book. Indeed, it was so stringent that the Government had been extremely cautious in extending its principle, and its compulsory clauses were not introduced into the Localization Act of 1872. Moreover, the Defence Act of 1860 was obsolete, its operation having been confined to one year only. Yet the hon. Baronet had introduced into his Bill the most arbitrary provisions of that Act for the purpose of depriving owners of their property in order to gratify his own peculiar fancy. What analogy could there possibly be between the necessity for preservation of apocryphal monuments and the defence of the country? He submitted that no case had been made out to justify the proposed interference with the rights of property. No case could be made out for depriving any man of the use of his property except for objects of public policy or for some great national requirement. We had no right whatever to alter the law and to interfere with a man's quiet enjoyment merely because he happened to have what some people might consider an ancient monument on his estate. The Bill was also full of technical defects. He entirely concurred in the objection of his hon. and learned Friend the Attorney General with regard to the constitution of the Commission. Curiously enough, no power of sale was given to the Commissioners, who consequently, if they bought sham antiquities, or other property they afterwards wished to get rid of, had no power to do so. Then the Schedule was delusive, because it did not include innumerable ancient monuments quite as worthy of preservation as those that were mentioned. He did not pretend to be either an antiquary or a man of taste—he was particularly glad he was not a man of taste—but he wanted to know why the most important Roman remains in this country were not included in the Schedule? The new port gateway at Lincoln, for example—one of the most perfect Roman remains in this country—and near that gateway were extensive portions of the Roman Walls of the city, and the city itself so abounded in these remains that the Commissioners ought to acquire the whole. Last year a good deal was said about the stones of Shap. Those stones were very numerous, for the works of the Druids were said to be carried on from Shap to the High Street, a distance of 20 miles; and this, perhaps, was the reason why the stones were taken out of the Bill. Again, why was Shap Abbey not included? Mediæval remains had never been taken so little care of in this country as they were at the present day. He would quote, in support of his opinion, Sir G. Gilbert Scott, who, in addressing the Institute of British Architects on his election as President, said—

> "Our old buildings too often—nay, in a majority, I fear, of cases—fall into the hands of men who have neither knowledge nor respect for them, while, even among those who possess the requisite knowledge, there has too often existed a lack of veneration, a disposition to sit in judgment on the works of their teachers, a rage for alteration to suit some system to which they had pledged themselves in their own works. The result has been truly disastrous; so much so that our country has actually been robbed of a large proportion of its antiquities under the name of 'restoration," and the work of destruction and spoliation still goes on merrily: while, at the public festivities by which each *auto da fé* is celebrated, we find ecclesiastical dignitaries, clergy, squires, and architects congratulating one another on the success of the latest effort of Vandalism."

But then, on the other hand, Sir Gilbert Scott had himself been denounced for his dealings with mediæval remains, and declared to be a destroyer rather than a restorer, and he (Mr. Bentinck) thought there were good grounds for that opinion. He should like to know what the hon. Member for Salisbury thought of the late alterations at Salisbury Cathedral. If that and similar results were not arguments for including ancient churches in the Bill, he did not know what could be so considered. The hon. Baronet possessed a palatial residence in the City. Did he know what destruction of noble monuments was going on there? What more beautiful specimens of architecture could be found than the steeples of Sir Christopher Wren? yet the City of London was doing its little best to destroy them. An hon. Friend of his had a frenzy for preserving what he believed to be Cæsar's Camp at Wimbledon, and yet he was actively engaged in pulling down the steeple at St. Margaret Pattens, a chief ornament of the East end of London! There was yet a nearer example in the church of St. Martin-in-the-Fields, the steps of which the Board of Works proposed the other day to sweep away. Now, supposing the Corporation of London, which did not enjoy the reputation of having the highest taste, were to propose to do away with the portico and steps of the Mansion House, would the hon. Member for Maidstone oppose such a scheme or not? He maintained it was far better that these beautiful buildings should be preserved, rather than the apocryphal objects protected to by this Bill. The Bill went either too far or not far enough. If the hon. Baronet would bring forward a scheme to preserve all monuments of whatever age, on the principle adopted by the Commission in France, something might be said for the proposal. But the present measure was defective in both principle and construction, and he trusted the House would not agree to read it a second time.

MR. OSBORNE MORGAN inferred from the speech of the right hon. Gentleman who last spoke that he had not quite made up his mind on what ground to oppose the Bill—because it went too far, or because it did not go far enough. In his own opinion, the Bill did not in the least interfere with the rational enjoyment of property; it only prevented wanton destruction. For these old monuments the owners could not lay claim to any sentimental value, inasmuch as the very motive of the Bill was that they were about to destroy them; and as to their money value, the Commissioners would pay them the market price. To hear the speeches of the opponents of the Bill one would suppose that no such thing had ever been heard of in this House as a railway Bill, or that no man's house or garden had ever been taken away from him for public purposes. How many persons had been rendered houseless by the erection of the new Law Courts and the Midland Railway Terminus? The right hon. Gentleman said the supporters of the Bill had made out no case; but no one had ventured to deny that these ancient monuments were worthy of preservation. At present there was no law to secure that they would be preserved, and there was ample evidence to show that in many instances the process of destruction was going on rapidly. Therefore, as the Preamble of the Bill had not been controverted, he thought the supporters of the Bill had made out their case for the second reading. All the objections which he had heard stated were really objections to matters of detail which could be dealt with in Committee. It could not be said that the preservation of public monuments was not a public object, for they were part of our national history; and as to the expense which would be incurred, it would not amount to one-tenth the cost of an ironclad which went to the bottom of the sea, and nobody said anything further about it. He was in favour of the second reading on the ground of public policy, and also in the interest of the rights of private property itself. The argument as to the rights of private property was a horse that might be ridden too hard. If the rights of private property were more respected in England than in any other country of Europe, it was because they had never been strained too far. Who did more to ensure respect for the rights of private property—the nobleman who generously threw open his park or his picture gallery for the benefit of the public, or the curmudgeon—for he deserved no other title—who built a high wall round his land to shut out a view of his trees in order " not to interfere with his privacy"—which really meant the privacy of a few rabbits and pheasants? He believed that a large number of the owners of these ancient monuments, so far from objecting to the provisions of the Bill, would welcome them as a means of conferring on their country a great national benefit at little or no inconvenience to themselves.

MR. RODWELL thought there could not be a shadow of doubt that this was a distinct interference never before attempted with the rights or enjoyment of private property. The principle of the Bill was novel and dangerous, and it behoved the House to consider the proposal well before adopting it. If these monuments were of a certain class, the Commissioners might put their Seal on the property and regulate or forbid the user of it by the owner; and upon warning to owners of the monuments specified in the second Schedule, any person who destroyed, removed, defaced, or in any way permanently or temporarily endangered their safety would be liable to the penalties of the Act. Was not this an interference with the rights of private property? If it was not, he did not know what was. The hon. and learned Gentleman the Member for Denbighshire (Mr. Osborne Morgan) said that private property was often taken for purposes of public utility. In no case, however, had private property been dealt with under a public Act, except where there was a great public necessity, or where the object was the preservation of the public health, or attaining some other great social advantage. Was this a case of great public necessity? If you took an inch of land for a railway the owner was entitled to appear before a Select Committee, which gave him redress or saw that he was fairly dealt with. There was no analogy between such cases and the mode in which private property would be dealt with under the Bill, which would give to owners no opportunity of saying anything. Everybody seemed to desire that these ancient monuments should be preserved—the only question was whether the Bill proposed a right and fair way of securing this object. In his opinion, the preservation of our ancient monuments ought be left to the liberality and good feeling of the owners, rather than be made the subject of legislation. Moreover, in his opinion the Bill was bad both in principle and in detail. Besides, the House ought to have some definite information as to the cost which it would entail. From this point of view it was material to know upon what principle compensation would be made—whether, for instance, the owner of Stonehenge would simply receive the value of the stones for building materials? The person whose rights were invaded would be put to expense in asserting those rights; and if he did not accept the sum allotted, he might even be mulcted in costs. The Bill was a distinct interference with private property, and he should vote against the second reading.

Mr. LAW hoped that hon. Members would lay aside all mere sentiment and prejudice, and calmly look to see what was the real issue involved in this measure. To say that the Bill involved no interference with what some people regarded as private property was, perhaps, going too far; as it was on the other hand to say that there was an interference with property as that term was generally and properly understood. The question was whether any necessity existed to take measures for the protection of ancient monuments, and if so, whether the present proposals of giving power to a body of Commissioners to watch over and protect those monuments was a reasonable mode of effecting that object. Now, after the speeches that had been made not only by the noble Lord who moved the rejection of the Bill, but also by Her Majesty's Attorney General, and other hon. Members opposite, it seemed to him but too certain that many of our most interesting and valuable relics of antiquity, in a scientific or historical point of view, must be so entirely unappreciated by their owners as to be in imminent danger of destruction. This, however, he believed the House and the public desired to prevent; and, therefore, what remained for decision was whether the interference or restrictions proposed by the Bill were sufficient, and no more than sufficient, for the preservation of these national antiquities. One objection to the Bill was that it did not extend to mediæval monuments, the reason being that owners adequately appreciated that class of monuments, which were, therefore, in no danger of destruction; but if any hon. Members were not satisfied by this reason, it was open to them to move in Committee to extend the scope of the Bill. On the other hand, the Attorney General objected that the principle of the Bill would justify a similar measure for the protection of beautiful pictures or statues. To this it appeared to him (Mr. Law) a sufficient answer to say that such things as these were in no such danger. Their owners might, no doubt, part with them either by sale or otherwise, but were not at all likely to destroy them; or if they did exhibit any such insanity, there were already, as he begged to remind his hon. and learned Friend, ample means of controlling them by having recourse to the jurisdiction of the Lord Chancellor sitting in Lunacy. Now, it ought to be remembered that under this Bill the Commissioners would have no power to acquire any property of their own mere motion and against the will of the owner. Suppose, for example, the operation of the Bill to be confined to certain scheduled monuments. The powers of the Commissioners would only come into play in the event of the owner being about to destroy one of those monument, in which case he might be prevented from doing so, but would receive the estimated value of the monument. Nor would there be any great difficulty in ascertaining the fair price to be paid for a monument which the owner was about to turn to account as valuable only for the stone or earth of which it was constructed. Then, again, it had been objected that no estimate had been given of the probable expense of carrying out a measure of this kind. But it would be seen that the Commissioners were to carry on their operations under the control of Parliament, which would have the entire discretion as to the extent of their expenditure, and there was some guarantee, therefore, that no extravagance would be permitted; but a country which spent some £10,000 a-year in buying Egyptian and Syrian antiquities ought surely not to grudge a few thousands for preserving upon its own soil monuments which once gone could never be replaced. He should imagine that very many landowners would be glad of the opportunity which such a measure as the present afforded for securing the preservation of ancient monuments; for the law did not allow a perpetual entail, but, under the Bill, a landowner might place any such monument under the protection of the Commissioners without parting with his property, and thus perpetuate its maintenance for the benefit of his own successors, as well as of the public. This was not a Party question, but he owned he was surprised to hear so many Conservative Members contending for the right of mere destruction as an essential element of property. He believed, however, that the majority of hon. Members approved of the principle of the Bill, which he would venture to suggest might with advantage be referred to a Select Committee to settle its details.

MR. KING-HARMAN said, he thought it desirable that our ancient monuments should be preserved, and would support the Bill if he really believed that, as the Preamble indicated, it would lead to their preservation. He doubted, however, whether in point of fact it would not rather lead to the destruction of many of them. Looking at the Schedule under "Ireland," he found there no mention of the Round Towers or old masonry works. The reason alleged was that the public preserved them; but this was not the case, for the walls of the cottages and houses around some of these old structures contained stones which had evidently been taken from these monuments. The monuments specified in the Bill were generally cairns on the top of high hills, which were held sacred by the peasantry as tombs of kings and queens, and were now in no danger of desecration; but he much feared that if they were handed over to the keeping of archæologists in Dublin, we should have enthusiastic archæologists making excursions to some of these cairns and returning flourishing the thigh bone of an ancient Irish King or Queen, just as a German archæologist had recently got hold of the thigh bone of Agamemnon. Believing that the measure would lead to the spoliation of many old monuments, he should oppose the second reading.

THE CHANCELLOR OF THE EXCHEQUER agreed with the right hon. and learned Gentleman (Mr. Law) that this could in no sense be regarded as a Party question; and on previous occasions when the Bill was before the House some Members of the Government had expressed their sympathy with the object of the hon. Baronet the Member for Maidstone (Sir John Lubbock). He shared with his hon. Friend the desire largely felt by the House and by the country for the preservation of our ancient monuments, and he thought the country owed a debt of gratitude to his hon. Friend for having called attention to the subject, and for the perseverance with which he had endeavoured to attain his object. It had been said that the Government had intimated their intention of introducing a measure dealing with the subject. He did not think that was the case. The Government had made no promise to take up the subject, but they did say they would consider whether anything could be done. Accordingly the subject had been considered by himself and the Secretary to the Treasury, with the endeavour to ascertain if anything could be done to meet the requirements of the case, and to obviate the difficulties which stood in the way of the hon. Baronet. They had also communicated with the Trustees of the British Museum to see whether they could give any assistance. The Government did not, however, find much encouragement in that quarter;—and altogether they had seen their way much more clearly to the difficulties of dealing with the question than to any mode of overcoming those difficulties. As to the particular measure now under discussion, certain obvious difficulties presented themselves. In the first place, there was the difficulty of the constitution of the Commission. He did not mean as to the names of the Commissioners: but the Government had to consider what would be the effect of appointing any Commission of this kind which was not under their control. The result would be the appointment of a body of men, selected for their acquaintance with the subject and their interest in it, but free from all responsibility except for the preservation of ancient monuments, and therefore under no restraint as to expense. They would naturally say—"We desire to preserve this or that monument; we think it a matter of great interest; we fully recognize the necessity of compensation, and any price which is considered fair shall be paid to the owner. We have ourselves no funds, but as they are to be provided by the Chancellor of the Exchequer we can act generously towards the owners of property." Thus the country might be landed in a serious expenditure. It was not a question of the stones at Stonehenge — how they were to be valued, or what was their value as old stones—for the site of the monument might be the remains of an ancient camp now become of great value for building, or of considerable importance for works for sanitary or other important purposes, or under which there might be valuable mineral rights. Thus the question of compensation might be a serious one, and it would therefore be the duty of the Government, if the Bill passed a second reading, to introduce some efficient machinery for the purpose of giving the Government greater control over the expenditure of the Commissioners. But was there not a great danger of doing more than the hon. Baronet proposed? With regard to the great proportion of our national monuments any legislation of the kind proposed was unnecessary. He believed the public feeling of the country, enlightened as it was, by the action of the hon. Baronet and other gentlemen who took an interest in this question, was sufficiently alive to the importance of the matter, and that it would be found that there was no danger—or only an inappreciably small danger—of the interesting monuments scheduled in the Bill being wilfully destroyed by their owners. But this Bill might offer a great temptation to owners to throw the burden of preservation off their own shoulders to the shoulders of the State. A man who would not think for a moment of destroying an interesting monument on his estate might, if he thought he could get it preserved by the State, go to the Commissioners and say—"I want to plough up this land or to level this property, but if you take it off my hands I won't do it." Such a man would not incur the reproach of Vandalism by destroying the monument himself, but he would get it taken off his hands if he could. This was a question of considerable magnitude, because the Bill not only provided for the places scheduled in it, but also gave a general power for making proposals with regard to any Roman or British remains, and throwing the preservation of those remains into the hands of the State. Therefore, though he did not wish to oppose any well-considered measure for the preservation of these monuments, or to stand in the way of proceeding with the Bill if the House desired to do so, it would be the duty of the Government to watch the measure very jealously, and to put a greater restraint on the proceedings of the Commissioners than was done in the Bill. And when the House came to consider the details of the Bill and what securities would be effectual, it would find that it would be exceedingly difficult to make it or any Bill effectual and at the same time unobjectionable. For his own part, he thought it would be better to consider whether they could not make provision for any special monument that might be in danger rather than undertake the task which the Bill would impose. He believed it would be very difficult to give effect to the object of the hon. Baronet, and that the greater part of the provisions of the Bill were open to objection.

SIR JOHN LUBBOCK thought he had some reason to complain of the line taken by the Government on this occasion. Up to the last moment he was under the impression that Her Majesty's Government were going to support the second reading of the Bill. But not only were they not going to support the measure, but they had let loose the dogs of war upon it in the shape of the Attorney General and the Judge Advocate General. As this Bill was almost the same as one which had already twice passed the second reading, he would confine his remarks within a narrow compass. As regarded the question of expense, it would not be large, because the monuments proposed to be dealt with were not of such a nature as to require continual repair—the only expense would be the original purchase. Then as to the interference with the rights of private property—the rights of property would not be interfered with, but only the rights of destruction. Nor would even this interference be necessarily exercised—the Bill merely provided that where the owner wished to destroy any monument of the kind referred to he should give the Commissioners the option of purchase, the price to be paid being determined under the Fortification Act. Some thought that they should go further, and claim for the nation the direct and immediate right of purchase. It seemed to him wiser not to interfere unless the necessity really arose; but if they were to interfere at all, they could hardly take a more moderate course than that proposed in the Bill. It had been said that no case had been made out for the Bill, and that the force of public opinion would be sufficient to prevent wanton destruction; but so far was this from being the case that every Archæological Society in England, Scotland, and Ireland had petitioned in favour of this Bill, on the ground that these monuments were rapidly being destroyed. He had, on previous occasions, given many instances of this as regarded England, and would not occupy the time of the House by repeating them. As regarded Scotland, he might refer not only to the testimony of antiquarians, but also of several cities and towns, including Edinburgh, which had petitioned in favour of the Bill; while the Bills Committee of the Commissioners of Supply for the county of Aberdeen, had recently reported that from the fact that in their county a number of monuments of great archæological and historical importance had been destroyed, they were satisfied of the necessity of this Bill, which they hoped might become law. In Ireland the rapid disappearance of ancient monuments had been a source of deep regret to every archæologist and to every patriotic Irishman. Dr. Stokes, in his *Life of Petrie*, said—

> "The number of ancient remains that even during the last century have been wantonly destroyed is so great that their enumeration would be tedious."

Miss Stokes, a lady than whom no one was better acquainted with Irish archæology, had kindly furnished him with a very long list of ancient remains which had been destroyed during the present century. He would only just mention a few instances. At Clonmacnoise had been destroyed an Ogham stone, peculiarly interesting as being one of only three cases in Ireland where the inscription in Ogham was accompanied by one in Roman characters. The so-called Palace of Emania, near Armagh, had been entirely destroyed, and when Dr. Petrie had remonstrated with the owner for removing a national historical monument, that gentleman replied that "Ireland had no history." The great Rath, or Pagan Fort of Kilbannon, built on the conversion of the native Chief by Patrick, was visible in part till 1826, but had now entirely disappeared. The ruins of Holy Island, in Loch Dearg, were rapidly perishing. These buildings were erected by King Brian Boru, and from an architectural as well as from an historical point of view were of great interest. At Innes Murray the early Christian inscriptions, many of which were perfect in 1834, had all been destroyed but one; and while in 1800 there were 118 round towers in Ireland, more than 40 of them had since perished. Moreover, the reasons which led to the destruction of these were often of the most trivial character. The round tower of Dungiven, which had a special interest because the date of its erection was supposed to be known, was destroyed on account of an idea that treasure was concealed in its foundations. That of Drumcliffe was taken down about the year 1840, in order that the materials might be used in building a bridge. Dun Angus was being pulled to pieces in pursuit of rabbits. St. Manchan's Church—Tempul Manchain, as it was called—was not long ago surrounded by curious arched cells, supposed to have been those of early Christian anchorites; but they were all destroyed a few years ago by an economical Scotch tenant. The remains of the church and round tower on Ireland's Eye, which had a special interest, because the tower was connected with the church — the square base serving as the chancel was taken down by the proprietor 30 years ago, lest it should fall on his cows. In some cases even an excess of reverence had proved fatal, as in the case of the unfortunate descendant of the Prophet, who was put to death in order that a shrine might be erected in his honour. In the same way the carvings on the base of the great cross at Clonmacnoise had been worn away by the pious peasantry, who thought that if they could stretch their arms round the sacred symbol some special blessing would be secured. Some of the churches on the west coast of Ireland had life-size wooden figures of Saints, which were placed beside the altar. One of these, in the Island of Innes Murray, though obviously early Christian, was taken about 30 years ago by a Protestant missionary for a Pagan idol. Accordingly, he took it out to sea and threw it overboard. The House, however, would be glad to hear the venerable image rose to the emergency, swam boldly to shore, and quietly resumed its old place. He would only mention one other fact. Though we might in many cases infer Shakespeare's opinions, there was, he believed, only one case in which we had the actual expression of his own sentiments, and it was one bearing directly on the object of this Bill. It appeared that there was in his day a question of enclosing some land near Welcombe, on part of which was an old camp known as the Dingles, commanding a ford over the river near Stratford-on-Avon. The corporation sent an agent named Greene, who was a cousin of Shakespeare's, up to London, to protect their interests. Parts of Greene's diary were preserved, and under the date of the 1st of September, 1615, was an entry that his cousin Shakespeare told him he could not "beare the enclosing of Welcombe." In the last volume of the Proceedings of the Society of Antiquaries, one of our archæologists related the result of an attempt to see the Long Stone, a monolith described in the last century by Rudder in his *History of Glocestershire.* On inquiring of a farm labourer the way, the man replied, "Ah, Sir, you be too late." It had just been blown up, broken to pieces, and thrown away because it cumbered the ground. He would implore the House not only to pass this Bill, but to do so before "it be too late."

Mr. J. LOWTHER said, at the risk of being included in the category of "the dogs of war," he would ask the House to listen to a few reasons before they adopted the principle of the Bill. The only result which had hitherto attended the exertions of the hon. Baronet and his friends had been the destruction of an ancient monument at Wimbledon. The hon. Baronet had failed to address himself to the main objection to the Bill, which was that, for the purpose of preserving ancient monuments, he had violently set aside those wholesome safeguards by which property in this country was protected. When the hon. Baronet first introduced this Bill, four years ago, he (Mr. Lowther) put down an Amendment to the second reading to the effect—

> "That it is contrary to the usage of Parliament that a measure should be proceeded with in the form of a Public Bill which deprives any individual of his private rights in his estate (named in the Bill), without notice duly served upon him, and without an opportunity being afforded him of being heard against the same."

The hon. and learned Member for Denbigh (Mr. Osborne Morgan) had said that the principle of the Bill had already been sanctioned by railway legislation. But the contrary was the case. The principle involved in that Amendment had been always held sacred by the House in the case of railways, canals, and other works; so that there was a Standing Order that notice should be served in the month of November on the person whose property was proposed to be taken, so that he might have ample time to take measures to protect himself. They had been told that to talk of the rights of property in this case being interfered with was a mere bugbear, and that was the argument of the hon. Member for Reading (Mr. Shaw Lefevre). The hon. Gentleman did not regard with any great veneration the rights of the lords of manors; but the principle of this Bill went a great deal further than even the hon. Member might be disposed to go. The hon. Member for Reading also said that the principle involved in the Bill had worked well in France; but it was not the principle involved in the Bill that had worked well in France, but the voluntary principle. Many who, like himself, sincerely desired to see these national monuments preserved and handed down to posterity would rather rely on the good taste and feeling which had hitherto animated the great bulk of the people of this country than on any compulsory enactment of the Legislature. They would rather rely on that Conservative instinct which had always animated the owners of the soil than embark in a course of legislation which, sooner or later, must sap the foundations of the principles on which the safety of property was based.

Mr. MACARTNEY said, he agreed with the hon. Member for Sligo (Mr. King-Harman) that this Bill was not only objectionable in principle, but also in detail. Now, although the discussion had extended over a considerable time, yet he was anxious to point out to the House one or two matters of detail that were most objectionable. The measure conferred most extraordinary and unusual powers in regard to dealing with private property. It enabled the Commissioners who were to be appointed under its provisions, because of their supposed fitness for the work, to transfer their powers to another body. The 16th clause enabled the Commissioners, at any time they thought fit, to transfer to any local authority or borough in or near which an ancient monument existed, all the powers conferred upon them by the Bill. He could understand the Antiquarian Society, or members of the Royal Society, or eminent persons who were learned in art, being entrusted with the powers contained in the Bill; but he thought it would be admitted that in recent times that House had shown a strong indisposition to allow bodies appointed under a Parliamentary sanction to act through delegates, and in this case it might happen that the Commissioners would delegate to the corporation of a small town, powers which they were altogether unfitted to exercise. There was another provision of the Bill to which he wished to refer —namely, that enabling the Commissioners, or any person authorized in writing by them, at any time between sunrise and sunset to inspect or enter upon the property of another, and if necessary to break into it. Now, at midsummer the sun rose at a very early hour, and set at a very late one, and he could not conceive a state of things in which it would be necessary to authorize the eminent personages who were mentioned in the Bill to break a gate or climb over a wall. He objected to any such power as that being conferred upon any persons whatsoever by Act of Parliament. It was quite sufficient, he thought, to attempt to transfer private property to public usages, and not force proprietors to keep persons constantly on the watch, lest trespassers should come on their property in the guise of agents of these Commissioners. The third and last objection which he entertained to the Bill was that owners of property in the country if they had upon their estates a national monument would inherit not only the property and the monument, but a perpetual liability to a lawsuit in a Court of Equity. That was a responsibility to which no proprietor ought to be exposed unless a great public necessity was shown for it. No such necessity had been shown to exist in regard to ancient monuments. One case had been quoted—namely, that of Cæsar's Camp; but he thought that they might leave the public opinion of the country, which had always been considered so strong, to exercise its just influence upon the conduct of those who might feel disposed to violate the public conscience for the sake of private gain. The hon. Member for Reading (Mr. Shaw Lefevre) had stated that the proprietors in France would be subjected to a similar law to that now proposed if they had not always facilitated the Government in its efforts to preserve the national monuments. Well, he did not think the proprietors of property in England ought to be considered less public spirited, and that public spirit would be best evinced by allowing them to preserve the monuments gratis than by forcing upon them a Commission to be supported out of public funds which they strenuously resisted.

Earl PERCY said, there appeared to be a great confusion in the speeches of hon. Members between restricting landed proprietors from destroying monuments on their estates, and restricting them from allowing them to fall into ruin. The right hon. and learned Gentleman the Member for the county of Londonderry (Mr. Law) had stated that this Bill would not apply to any landowner who did not intend to destroy what he had got. But he would like to ask whether the owners of the monuments scheduled in the Bill were to engage not to destroy them? He hoped before that was done that the accusation against the owners of the 72 monuments placed in the

Schedule involved in such an assumption would be supported by stronger evidence than had yet been adduced. Then the House had been told that the Commissioners had no power to acquire any land, except with the consent of the owner. That might be the case in point of law; but in point of fact he wished to be informed in what "acquisition" consisted. The Commissioners were not only to take possession of these monuments, but they were to have access to them at all times, and power to deal with them in any manner they pleased. They had also power to acquire an acre and a quarter of land around these monuments; and some of them were of a very extensive character. His main ground of opposition, however, to this Bill was, that it struck at the root of all private property. Would they deal with a gallery of pictures in the same manner? There was nothing to justify this extraordinary exceptional legislation with regard to real property as opposed to personal property. They were now entering on a new system of legislation. They were taking the property of owners, not for utilitarian purposes—for railways, and purposes of that sort—but for purposes of sentiment, and it was difficult to see where they would stop.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 211; Noes 163: Majority 48. (Division List, No. 28.)

Main Question put, and *agreed to.*

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House for Friday, 16th March."

Amendment proposed, to leave out from the word "a" to the end of the Question, in order to add the words "Select Committee,"—(*Mr. Gregory,*)—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.*

Earl Percy

Main Question, as amended, put, and *agreed to.*

Bill *committed* to a Select Committee.

COUNTY COURTS JURISDICTION EXTENSION BILL.

On Motion of Sir Eardley Wilmot, Bill to further extend the jurisdiction of the County Courts, *ordered* to be brought in by Sir Eardley Wilmot and Mr. Forsyth.

Bill *presented*, and read the first time. [Bill 110.]

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDERS BILL.

On Motion of Mr. William Henry Smith, Bill to confirm Three Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. William Henry Smith and Sir Michael Hicks-Beach.

Bill *presented*, and read the first time. [Bill 108.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 8*th March*, 1877.

MINUTES.]—Public Bill—*First Reading*—Consolidated Fund (£350,000) *.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1869—THE RECENT PROCLAMATIONS.

OBSERVATIONS. QUESTIONS.

Earl FORTESCUE said, he wished to put a Question to the noble Duke the President of the Council, of which he had given him private Notice. Representations had been made to him, as President for this year of the Central Chamber of Agriculture, as to the difficulty of getting copies of the recent Proclamations and Orders in Council respecting the Cattle Plague. As persons were liable to punishments for contravention of the Orders contained in that Proclamation, it was desirable that a wide circulation should be given to the document. He therefore begged to ask the Lord President, Whether he could give any further facilities for making the Orders in Council known in the agricultural districts?

THE DUKE OF RICHMOND AND GORDON agreed with his noble Friend that, inasmuch as penalties were attached to contravention of the Orders contained in the Proclamation, as much publicity as possible ought to be given to the document. All Orders in Council that had been issued on the subject were published in *The London Gazette*, and had been sent to the local authorities as soon as published; also to all the inspectors acting under the local authorities, to all railway companies, shipowners, and agricultural societies, Foreign Ministers, and other companies or authorities who were supposed to be interested in the perusal of such Orders. Copies were also supplied to every one who made application for them at the Veterinary department; and the gentleman who had that department under his control had informed him that during the last 10 years no such application had been refused. But as his noble Friend seemed to think there ought to be a further circulation of the Proclamation to which he had referred, instructions had been issued to the Queen's Printers to sell copies of that Proclamation at a small charge.

EARL FORTESCUE asked, Whether the noble Duke could give any information as to the present state of the Cattle Plague, in addition to that which had been given in "another place" by the Vice President of the Council?

THE DUKE OF RICHMOND AND GORDON did not know what was the information given by the Vice President of the Council, and referred to by his noble Friend. If what his noble Friend wanted to know was whether there had been any fresh case, he had to answer that unfortunately there had been one more case at Hull within the last 48 hours. However, stringent measures of precaution had been taken, and he hoped the disease would not spread. Indeed, he thought it could not.

House adjourned at half-past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 8th March, 1877.

MINUTES.] — SELECT COMMITTEE—Metropolitan Fire Brigade, *appointed* and *nominated.*

PUBLIC BILLS — *Ordered — First Reading —* Law of Evidence Amendment * [112]; Public Parks (Scotland) * [111].

Second Reading—Treasury and Exchequer Bills [88]; Valuation of Property [63].

Committee — Justices Clerks (*re-comm.*) [5]—R.P.

Considered as amended—Open Spaces (Metropolis) * [62]; Beer Licences (Ireland) [101].

BANK OF ENGLAND — CERTIFICATES OF DEATH.—QUESTION.

MR. GREGORY asked Mr. Chancellor of the Exchequer, Whether he is aware that the Bank of England refuse to take the certificate of the Registrar General, which is made evidence by the Act 6 and 7 Will. 4, c. 86, s. 38, as proof of the death of a party in whose name Government stock is standing; and, whether the Bank of England is by its charter, or otherwise, exempted from the operation of that Act?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he understood that the Bank of England did refuse to take the certificate of death given by the Registrar General, and that they did so in order to guard against frauds to which they had been subjected in former years. They insisted on obtaining a certificate of burial—which they were entitled to do, being authorized by Act of Parliament to require whatever evidence they thought necessary.

PUBLIC HEALTH—VACCINATION. QUESTION.

MR. JAMES asked the President of the Local Government Board, If he can state the reason that, in the Thirty-fifth Annual Report of the Registrar General, page 231, in which it is stated that 19,094 deaths from small pox took place in the preceding year, and at a previous page, 150, 3,782 of these being reported as unvaccinated and only 1,888 as vaccinated, while no mention was made of the remaining 13,424 cases as being or not being vaccinated?

MR. SCLATER-BOOTH, in reply, said, the reason why these 13,424 cases were not reported as being vaccinated or not vaccinated was that the Registrar General had no information that enabled him to give a complete Return. The Legislature gave him no means of insisting on such information being supplied in all cases.

NAVAL DISCIPLINE ACT, 1866—LEGISLATION.—QUESTION.

Mr. P. A. TAYLOR asked the First Lord of the Admiralty, Whether his attention has been called to certain defects in the Law for the Government of the Navy as contained in "The Naval Discipline Act, 1866;" and, whether it is his intention to bring in a Bill this Session to amend the said Act?

Mr. HUNT, in reply, said, certain amendments in the Naval Discipline Act had been suggested to him, but they were for the most part verbal, and he did not think them of sufficient importance to justify the introduction of a Bill this Session. Supposing he did introduce a Bill, it would not be likely to touch the particular point in which the hon. Member was interested.

COUNTY CESS COLLECTORS (IRELAND).—QUESTION.

Mr. OWEN LEWIS asked the Chief Secretary for Ireland, If his attention has been called to a statement in the "Freeman's Journal" of last week, to the effect that the Queen's County grand jury have appointed a collector of county cess at a salary of ninepence in the pound, although a gentleman of equal respectability and solvency had offered to discharge the duties for sixpence in the pound, the successful candidate being a Protestant, the unsuccessful one a Catholic; if it is legal for a public body to impose an unnecessary tax of threepence in the pound on unrepresented taxpayers; and, if he is prepared either to introduce or give facilities for the introduction of a measure this Session to prevent such a case again occurring?

Sir MICHAEL HICKS-BEACH: The hon. Member sent me a copy of a letter in *The Freeman's Journal* to which his Question refers, and I have also made inquiry into the case. It appears that at the recent Assizes the Grand Jury of Queen's County had before them three applications for the appointment of cess collector in one of the baronies of that county, one at 9*d.* in the pound, the others at 6*d.* in the pound. They appointed, all but unanimously, the person who had tendered at 9*d.* in the pound, the only dissentient being one of the hon. Members for the county, who was on the Grand Jury. I presume that they were guided in making the appointment by their local knowledge of the circumstances and responsibility of the candidates; they acted entirely within the law, and the matter by no means seems to me of the importance attributed to it in the hon. Member's Question.

POOR LAW—ELECTION OF GUARDIANS, CHELTENHAM.—QUESTION.

Mr. H. B. SAMUELSON asked the President of the Local Government Board, Whether he will consent to lay upon the Table of the House, the Petition of Henry Gilling to the Local Government Board, for inquiry into the election of guardians for the middle ward of the parish of Cheltenham in 1874; and the Petition to the Local Government Board of the non-elected candidates at the guardians' election in 1876 for the same ward of the same parish, as well as all Correspondence consequent upon the two Petitions?

Mr. SCLATER-BOOTH: I have no objection to lay the Petition and the accompanying correspondence on the Table of the House, but I own that I should have an objection to recommend that the correspondence, which is very voluminous, should be printed and circulated, unless the hon. Member is desirous of founding any future course of action upon it. If the hon. Member will call at the Local Government Board he will be welcome to see it; but I must object to its printing and circulation, on account of the expense.

ARMY—THE AUXILIARY FORCES—ADJUTANTS—QUESTION.

Mr. WAIT asked the Secretary of State for War, If it is true that Captain Singleton of the 92nd Regiment having completed his five years' appointment as Adjutant of Auxiliary Forces, and applying to return to his regiment, has been informed that he must go on half-pay until a vacancy occurs in the said regiment; whether such information is in accordance with the regulations, if so, when such regulations were made; and, whether Adjutants were informed of their being in force when such appointments were given?

MR. GATHORNE HARDY: I must inform the hon. Member that the supposition contained in his Question is not the fact. The officer in question has been told that he may have leave of absence until that vacancy occurred, and that in the meantime he will be not on half-pay, but on full-pay.

THE EASTERN QUESTION—THE RUSSIAN CIRCULAR.—QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have sent a reply to Prince Gortchakoff's Circular; and, if not, whether he can, without detriment to the public service, state when the reply will be sent?

MR. BOURKE: No reply has yet been sent to the Circular of the Russian Government. A reply was intended to have been sent last week; but in consequence of a communication made verbally by the Russian Ambassador to Lord Derby soliciting the answer to be deferred until further communications were made, no answer has been sent. The further communication promised by the Russian Ambassador to Lord Derby has not yet reached the Foreign Office.

EGYPT AND ABYSSINIA.—QUESTIONS.

MR. EVELYN ASHLEY asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has taken any steps to ascertain from the Khedive of Egypt what was the fate of the Abyssinian Envoys who, last December, mysteriously disappeared from a hotel at Cairo where they had been lodged by the British Consul General, under the guard of the Consular Janissary, after they had fled to the British Consulate General and demanded protection; whether the Egyptian Government is still engaged in an aggressive movement against Abyssinian territory; and, whether the Foreign Office has received intelligence of the arrest by the Egyptian authorities, on the 3rd day of February last, at Massowah, of two British subjects, Messrs. Barlow and Houghton, and of their conveyance to and detention at Suez; and, if so, what steps Her Majesty's Government have taken or intend to take for their protection and release?

MR. POTTER also wished to ask, Whether the attention of Government has been called to the alleged seizure by an armed boat's crew of the Egyptian Government, off the coast of Abyssinia, of Mr. Robert Adeane Barlow, whilst on board a vessel under the British flag, owned or chartered by British subjects; and, whether immediate inquiries will be made into all the circumstances of the case, and due reparation required if the alleged facts be true?

MR. BOURKE: With respect to the first part of the Question of the hon. Member for Poole, I have to state that only one Envoy from Abyssinia reached Egypt. The hon. Member mentions "Envoys" in his Question—as a matter of fact only one Envoy reached Egypt last December, and he was allowed to remain some time without seeing the Khedive, but after being there some time the Envoy did see the Khedive on the 7th of December. It was then decided that the Envoy should be sent back to Abyssinia with a letter to the King, and that he should be provided with a special train from Cairo to Suez, and a special steamer from Suez to Massowah. When the Envoy received that message he grew very much alarmed, and at once communicated with the British Consul at Cairo, telling him that in consequence of the message he had received, he feared his life was in danger. The Khedive was very much annoyed that what he had intended as an act of courtesy should be taken in this way by the Envoy. However, he then said that if the Envoy took that view of the case he must find the way back to Abyssinia for himself. The Envoy went again to our Consul, and, owing to a communication which was then made by the British Consul to the Khedive, the Khedive promised to send back the Envoy in the same way as first proposed—namely, by special train to Suez, and special steamer from Suez to Massowah. The Envoy started from Cairo for Massowah on the 8th of December, and we have not heard anything of him since. With regard to the second part of the Question of the hon. Member for Poole as to whether the Egyptian Government is still engaged in an aggressive movement against Abyssinian territory—we have heard nothing of any aggressive movement by the Egyptian Government against Abyssinian territory. On the other hand, we know that the Abyssinians have made a raid upon a small detachment of Egyptian troops and were repulsed. Then with regard to the second Question, which relates to Mr. Barlow and Mr. Houghton, the hon. Member for Rochdale has asked a Question, and there is another on the same subject on the Paper by the hon. Member for Wexford (Mr. O'Clery). The facts with regard to this case are these:—Mr. Barlow and Mr. Houghton had been for some time in Egypt, and they had given out publicly that they were both going to Abyssinia. Mr. Barlow announced that he was going as Generalissimo of the Abyssinian Army, to supply the place of General Kirkham; and the other gentleman, Mr. Houghton, said he was to be the future Premier of Abyssinia. Our Consul states that they were distinctly warned before they left Cairo that the Egyptian authorities would not allow them to cross the frontier between Egypt and Abyssinia, or travel in the Provinces bordering on that frontier, and that if they persisted, notwithstanding, in going to Abyssinia it must be at their own risk and peril. Well, they did go. I need not state the circumstances of their being stopped at Massowah. They were stopped at that place, and sent back in a ship to Suez. We have heard from Mr. Houghton in a letter dated the 23rd of last month, in which he says he has been released. We have only heard from Mr. Barlow up to the 19th, and he was at that time with Mr. Houghton in the same ship. Whether he has been released or not I am not able to state; but as Mr. Houghton was released on the 23rd, it is probable that Mr. Barlow has been released too. With respect to the rest of the Question, all I can say is that when we receive a full report of the circumstances connected with it Her Majesty's Government will take the whole matter into consideration.

Mr. EVELYN ASHLEY: I asked whether Her Majesty's Government knew what had become of the Envoy.

Mr. BOURKE: I thought I had answered that Question—that he had been given a special train and a special steamer by the intervention of Her Majesty's Consul, and that we have heard nothing more of him since he left Cairo.

Mr. W. E. FORSTER: I understand the hon. Gentleman to state that the Consul had heard nothing of him after he had left Cairo in the special train. Are we to understand that the Government have no information as to whether he did go on board the steamer or not? I must ask the hon. Gentleman whether we could not by telegraph obtain knowledge on that subject. We ought to know whether the train did arrive at Suez, and the steamer at Massowah.

Mr. BOURKE: I have not the slightest objection to get the information for the right hon. Gentleman. There is no difficulty about getting the information at all.

Sir H. DRUMMOND WOLFF gave Notice that he would on Monday ask the Under Secretary of State for Foreign Affairs, Whether the Abyssinian raid referred to in his Answer to the hon. Member for Poole had not been undertaken in consequence of an Abyssinian officer, charged with a letter from the King of Abyssinia to Her Majesty's Agent and Consul General in Egypt, having been seized and drowned by the Egyptian authorities at Massowah?

THE WAR OFFICE—SANITARY STATE.

QUESTION.

Mr. COOPE asked Mr. Chancellor of the Exchequer, Whether, after the adverse Report of the Committee appointed to investigate the sanitary state of the War Office, the Government is taken any, and, if so, what steps for the erection of a new office suitable to the wants of the Department?

The CHANCELLOR of the EXCHEQUER, in reply, said, that with a view to carry out the recommendations of the recent Committee, an estimate had been prepared of the cost of the works which would be necessary in order to put the building in a more satisfactory state, and that, this estimate having been considered and sanctioned by the Treasury, the works would be proceeded with at once. With regard to the opinion of the Committee that a new building was desirable, he could only say that the Government were very seriously considering what steps they ought to take in the matter.

THE RECENT FLOODS IN THE THAMES VALLEY.—QUESTIONS.

MR. COOPE asked the Secretary of State for the Home Department, Whether the Government is prepared to bring in any measure this Session, or to grant the appointment of a Select Committee or a Royal Commission, with the view of making such provisions as will prevent or mitigate the injury to property caused by floods in the valley of the Thames?

MR. A. PEEL also asked the right hon. Gentleman When he proposes to cause an inquiry to be made into the subject of inundations and of the better management of rivers and drainage areas, and whether by Committee or by Royal Commission?

MR. ASSHETON CROSS: In reply to my hon. Friend behind me (Mr. Coope) I would state that the Government are not indisposed that there should be an inquiry into the operation of the Acts relating to the Thames Conservancy Board, but the particular form of inquiry could be settled later on with regard to the wider question of the hon. Gentleman opposite. I observe that he has a Notice on the Paper for the purpose of bringing this question before the House, and I think it would be very much better that that Motion should come on and be discussed before the Government state their opinion as to what is the best course to take in the matter.

METROPOLIS — HYDE PARK — THE MOUNDS.—QUESTIONS.

MR. W. LOWTHER asked the First Commissioner of Works, Whether some unsightly mounds, planted with shrubs, are to be removed from the ground between Rotten Row and the Serpentine; and, if so, when they will be removed?

MR. GERARD NOEL, in reply, said, he did not wish to give any opinion of his own, one way or the other, as to the merits or demerits of these mounds; but after the discussion of last year, and the strong opinion expressed in all parts of the House, he had only one course open, and that was to propose their removal.

MR. MONK asked whether there was any Estimate before the House of the expense of the removal of the mounds, and whether the right hon. Gentleman the First Commissioner of Works would give an undertaking to the House that no more public money should be expended on these mounds until the House had sanctioned their removal?

MR. GERARD NOEL replied that there was no Vote to be proposed; but he entertained great hopes that by judicious economy the mounds might be removed without proposing a Vote to the House.

TURKEY—BRITISH REPRESENTATIVE AT CONSTANTINOPLE.—QUESTION.

MR. HANBURY asked the Under Secretary of State for Foreign Affairs, If he can without public inconvenience inform the House whether, as Sir Henry Elliot is stated to have left Constantinople for the purpose of advising the Government at home, it is the intention of Her Majesty's Government to continue, during the present critical state of affairs in Constantinople, to be represented there by a chargé d'affaires; or, whether it is proposed to entrust the charge of British interests in that capital to Sir Henry Elliot, or some other diplomatic functionary of high rank and experience?

MR. BOURKE: In reply to my hon. Friend I have to state that Her Majesty's Government have full confidence in the capacity of Mr. Jocelyn, who is now performing the duties of Chargé d'Affaires at Constantinople. He is fully competent to perform those duties; but, at the same time, Her Majesty's Government are perfectly alive to the inconvenience that may be caused to British interests by the fact of an Ambassador not being at Constantinople. It is by no means the intention of Her Majesty's Government that that state of things should continue for any length of time.

TURKEY—BOSNIA.—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether he can inform the House what is the present condition of Bosnia, especially whether it is true that a considerable part of the Province is still the scene of obstinate insurrection, and that, owing to continued gross oppressions by the Mahommedans, a large proportion of the Christian population of the Province are passing the winter in mountain caves and holes, and other wretched asylums, on the Austrian fron-

frontier, in the most miserable manner; also whether it is true, as stated in to-day's papers, that a subsidy of 4,000,000 piastres has been levied on the revenue of Bosnia; and, whether Her Majesty's Government are now engaged in any effort to put a stop to these miseries?

Mr. BOURKE: My hon. Friend has given me no Notice of the additional Question he has asked me with reference to a subsidy; but if he will kindly give me Notice, I shall be very happy to answer it. With regard to the other Question upon the Paper, I do not think there is any foundation for the general statement contained in the Question. The latest reports from Mr. Freeman at Bosnia Serai state that 80 men were attacked by the insurgents on their road from Niksich to Gatchko, and that the Prince of Montenegro refuses to permit further revictualling of Niksich. The Insurgent Chief, Peko Paulovich, holds Kristach in considerable force. But we have no information to justify the general statement of the hon. Member. I am afraid that there is much distress and suffering amongst the refugees; but it must be remembered that that is a state of things which may be accounted for by the fact that the country has been, and to a certain extent still is, in a state of civil war. We have, however, reason to hope that when peace is concluded between the Porte and Montenegro tranquillity may be restored to the adjoining Provinces of Bosnia and Herzegovina.

TURKEY — THE BULGARIAN MASSACRES.—QUESTION.

Mr. RYLANDS asked the Under Secretary of State for Foreign Affairs, with reference to the statement contained in Prince Gortchakow's Despatch of the 28th day of July 1876, to the effect that the Acting Russian Consul at Philipopolis had reported facts connected with the Bulgarian massacres, subsequently confirmed by the English Commission, which were also communicated by General Ignatiew to his colleagues, including the English Ambassador, Whether the Foreign Office can ascertain from Sir Henry Elliot, he being now in this Country for the purpose of reporting on the situation, the dates upon which information was given to him by General Ignatiew of the Reports of the Russian Consul at Philippopolis in relation to the Bulgarian massacres, and also particulars of the facts contained in the Reports of the Russian Consul so communicated to Sir Henry Elliot; and, whether it is true, as stated by the correspondent of the "Daily News," that on or about May 20th the Greek Minister at Constantinople communicated to Sir Henry Elliot the Reports received from the Greek Consul at Philippopolis, giving details of the massacre at Batak, and that about the same period similar reports from the Austrian and French Consuls at Philippopolis, confirming those of the Greek Consul, were also communicated to Sir Henry Elliot?

Mr. BOURKE: In reply to the hon. Member's first Question, I have to state that Sir Henry Elliot says he is perfectly unable to state the dates when he received any information on the subject of the Bulgarian massacres. At that time the Ambassadors were in the habit of meeting daily, and when they met they communicated to each other any information they had received; but Sir Henry Elliot has no recollection whatever of any information being given to him by General Ignatief before the massacres were publicly known. With regard to the second part of the Question, the hon. Member asks for particulars of the facts contained in the reports of the Russian Consul communicated to Sir Henry Elliot. No such reports were communicated to Sir Henry Elliot, and therefore he cannot tell what the facts were to which the hon. Member alludes. The hon. Member asks in the last part of his Question whether it was true, as stated by the correspondent of *The Daily News*, that on or about May the 20th the Greek Minister at Constantinople communicated to Sir Henry Elliot the reports received from the Greek Consul at Philippopolis, giving details of the massacre at Batak? That statement I have to state is entirely untrue. He then asks whether about the same period similar reports from the Austrian and French Consuls at Philippopolis, confirming those of the Greek Consul, were also communicated to Sir Henry Elliot? That statement is equally unfounded.

THE ARMY ESTIMATES—PROMOTION AND RETIREMENT.—QUESTION.

Mr. TREVELYAN asked the Secretary of State for War, Whether, in view of the bearing which the question of promotion and retirement in the Army has upon the fixed establishment of Generals, and the retired full-pay and the half-pay list, he will postpone Votes 18 and 19 of the Army Estimates until after he has laid before the House his scheme of promotion and retirement?

MR. GATHORNE HARDY pointed out that the Votes in question would have reference to existing rights, and would therefore have to be considered independently of any future scheme. Although it was not likely they would come on for some time he could not pledge himself to postpone them in the manner suggested.

NAVY—THE NAVAL COLLEGE.

QUESTION.

MR. EDWARDS asked the First Lord of the Admiralty, with reference to the Report on the site for a Naval College and the serious objections to the site recommended, He will delay any negotiations for purchase of land, and any instructions for the preparation of plans for building, until after the subject has been fully discussed by the House, on the Motion of the honourable Member for the Isle of Wight?

MR. HUNT promised that the hon. Gentleman would have an opportunity afforded him of doing his duty to his constituents in this matter.

TURKEY—LOANS OF 1854 AND 1855.

QUESTION.

MR. J. R. YORKE asked Mr. Chancellor of the Exchequer, Whether his attention has been called to a statement in the "Morning Post" of March 6th from their correspondent at Constantinople to the effect that the Porte intended to refer the case of the 1854 Loan to the Turkish Parliament, and that they were unwilling to make arrangements with respect to it without the sanction of their other creditors; if the Government has taken, or will take, the opinion of the law officers of the Crown as to whether the security for this Loan being the assignment of the Egyptian Tribute, which, under tripartite treaty, comes direct from Egypt to the Bank of England, its position is not entirely independent of any action or sanction of either the ordinary creditors of the Porte or of the Turkish Parliament; and, whether Her Majesty's Government will not advise the Porte of the same?

THE CHANCELLOR OF THE EXCHEQUER: The statement in *The Morning Post* to which my hon. Friend refers is substantially accurate—that is to say, that the Porte have stated that they intend to refer the case of the 1854 Loan to the Turkish Parliament, and that they were unwilling to make provisional arrangements with their creditors unless with the assent of their other creditors, or under some judicial decision which they might obtain. With regard to the second Question of my hon. Friend, I think he has confounded the Loan of 1854 with the Loan of 1855. There is nothing in the Loan of 1854 to which the first half of the Question relates which is mentioned in the Tripartite Treaty. That Treaty refers to the Guaranteed Loan of 1855, and the arrangement with regard to the provision for the Loan of 1855 is not such as is described by my hon. Friend. It is simply an arrangement binding the Porte to make the payments for that Loan to the Bank of England. No doubt the Loan is charged upon the general revenues of Turkey, and especially upon the balance of the Egyptian Tribute, and upon the tributes of Smyrna and Syria; but there is no provision, such as my hon. Friend supposes, that the Egyptian Tribute or any portion of it should go direct to the Bank of England.

ARMY—RECRUITS.—QUESTION.

MR. J. HOLMS asked the Secretary of State for War, If he would state how many recruits were enlisted over twenty-five years of age from the 1st June to the 31st December 1876, in accordance with the General Order issued on the previous date; and, how many infantry recruits under 5ft. 5 were enlisted from the 24th October to the 31st December 1876, in accordance with the General Order of the previous date?

MR. GATHORNE HARDY, in reply, said, that between the 1st of June and the 31st of December, 1876, 1,185 recruits over 25 years of age had entered the Army — the total number enlisted during that time being 18,676. Between the 24th of October and the end of December there were 1,331 recruits under 5 feet 5 inches, the total number enlisted between those dates being 5,500.

METROPOLITAN STREET IMPROVEMENTS BILL—DEMOLITION OF DWELLINGS.—QUESTION.

SIR CHARLES RUSSELL asked the Secretary of State for the Home Department, If his attention has been called to the proposed demolition of houses occupied by the working classes in the Metropolitan Street Improvements Bill; and, if so, whether he proposes to take measures for the protection of the interests of those to be removed?

MR. ASSHETON CROSS, in reply, said, he had placed himself in communication with the Metropolitan Board of Works on the subject. He was bound to say that he had found the Board in this as on all other occasions on which he had communicated with them, willing to meet the question in the fairest possible way. He had no doubt, therefore, that they would take care that there should be no destruction of houses before some provision had been made—he would not say for individuals, but for the accommodation of any class of people who might in consequence be sufferers.

TRADE MARKS REGISTRATION ACTS—BARROWS *v.* THE REGISTRAR OF TRADE MARKS.—QUESTION.

MR. MUNTZ asked Mr. Attorney General, If his attention has been called to the case of Barrows *v.* the Registrar of Trade Marks, reported in the "Times" newspaper of 2nd March, in which the Registrar had declined to register trade marks proved to have been the property of Messrs. Barrows for upwards of thirty years; and, whether the Registrar has power at his own option to remodel trade marks which had been used for many years, or refuse to register them?

THE ATTORNEY GENERAL: In answer to my hon. Friend, I beg to state that I have read the report referred to, but it is not correct that the Registrar declined to register trade marks proved to have been the property of Messrs. Barrows for upwards of 30 years. The Registrar did register a number of trade marks, consisting of figures and words, and letters, and combinations of figures and words, or figures and letters, to which Messrs. Barrows laid claim, and which belonged to them exclusively. But, in addition to the registration of the trade marks just mentioned, Messrs. Barrows demanded the registration, as separate and independent trade marks, of marks consisting of the figures, words, and letters above-mentioned, in combination with figures, words, or letters, which had for years been used by the whole iron trade in common. The Registrar, being doubtful whether he was justified in registering the marks I have last alluded to, applied for instructions to the Commissioners of Patents, who directed him not to register without the order of the Court. In reply to the remaining part of the Question, I beg to say that the Registrar does not claim at his own option to re-model or to refuse to register trade marks which have been used before the passing of the Act; but in case a question of difficulty and nicety arises, as to whether a trade mark is such as he ought to register, he applies to the Commissioners of Patents and acts according to their directions.

ARMY—RECALL OF CAPTAIN BURNABY.—QUESTION.

MR. GRANT DUFF asked the Secretary of State for War, Whether the telegram sent to Captain Burnaby was forwarded through the British Embassy at St. Petersburg; whether the telegram was sent in cypher or in a form which enabled the Russian authorities to become acquainted with its contents; and, whether, if those contents were known to or could be known to the Russian Government, Her Majesty's Government considers that they cannot be communicated to Parliament?

MR. GATHORNE HARDY: In reply to the first Question of the hon. Member, I have to state that the telegram was sent through the British Embassy at St. Petersburg; and, to the second Question, I reply that the telegram was not in cypher, but in English words. With regard to the third Question, personally, I should feel little difficulty about the production of the telegram, except for this—that the Correspondence, in my opinion, could not be properly produced, and would, to a certain extent, lead to a misunderstanding with respect to the very promising and energetic officer to whom it related.

NAVY—NAVAL ARTILLERY VOLUNTEERS.—QUESTION.

MR. WHALLEY asked the First Lord of the Admiralty, with reference to the Corps of Naval Artillery Volunteers, now in operation at London, Liverpool, and other places, Whether, in the event of yachts being placed at the service of such Corps by the owners for the purpose of drill and exercise, the Admiralty would recognise such service so far as to provide guns and armament suitable to the size and capacity of such yachts, subject to such conditions as the Admiralty may think fit to prescribe?

MR. HUNT, in reply, said, that he was most anxious to give what facilities he could to the Royal Naval Artillery Volunteers for gun drill, but he doubted whether the suggestion of the hon. Member could be complied with, inasmuch as such guns as could be placed on board yachts would not be suitable for the purpose, and he was afraid that exercising such guns would be of very little use for the Naval Volunteers. He confessed, therefore, that he did not see his way to carry out the suggestion.

NAVY—DOCKYARD SUPERINTENDENTS.—QUESTIONS.

MR. SHAW LEFEVRE asked the First Lord of the Admiralty, Whether he will lay upon the Table of the House any fresh instructions recently issued to the superintendents of dockyards making them directly responsible for the work of the shipbuilding and manufacturing establishments of their respective dockyards?

MR. HUNT: No fresh instructions have been recently issued to Superintendents of Dockyards as to their responsibility. This is laid down by Article 2 of the Dockyard Instructions, as follows:—

> "The Admiral or Captain Superintendent shall have full and complete authority over all the officers and other persons whatsoever employed in the dockyard, and shall superintend and control every part of the business carried on therein and works afloat performed by them (subject to the foregoing Article); and he is to exercise the power vested in him as often as he may see occasion, for the purpose of enforcing obedience to all orders and regulations issued by us, or by himself, to the end that every person may discharge the duties of his office with zeal, alacrity, and fidelity, to ensure which he has the power of suspending any officer, clerk, or other person belonging to the dockyard, reporting to us the cause and circumstances of each suspension, in order that the case may be dealt with as it may appear to require. He is further invested with power and authority to discharge all workmen who, by bad conduct or inattention to duty, shall have proved themselves unfit to be retained in the public service, but no officer or clerk is ever to be dismissed without our sanction."

The form which was in use in making communications to the Superintendents was—The Superintendent is requested to "inform the officers," or to "direct the officers." Those words have been recently ordered to be omitted, so as to remove all doubt as to their responsibility.

MR. SHAW LEFEVRE: Is it intended to alter their responsibility for the work of the shipbuilding and manufacturing establishments in their respective Dockyards?

MR. HUNT: No; certain words have been omitted to take away all doubt as to the meaning of the old Dockyard instruction?

MR. SHAW LEFEVRE: Is it intended to make them directly responsible?

MR. HUNT: They are directly responsible for all that goes on in the Dockyards, according to the Order. No alteration has been made in the regulation, and, therefore, they are bound by it.

CRIMINAL LAW — CONVICTION FOR MANSLAUGHTER AT DURHAM.

QUESTION.

MR. OWEN LEWIS asked the Secretary of State for the Home Department, If his attention has been called to the trial of John William Moss and Mary Ellen Calder for manslaughter, at the Durham Assizes on the 24th February; and, whether he intends to take any steps with reference to the conduct of the police and of the parish doctor, on whose culpable neglect Lord Chief Justice Coleridge so severely commented?

MR. ASSHETON CROSS: I have received a letter from Lord Chief Justice Coleridge, explaining the circumstances of the case. I thought it my duty to call the attention of my right hon. Friend the President of the Local Government Board to the subject, in order that he might make every possible inquiry, so far as the doctor is concerned, and I myself have directed a full investigation to be made with respect to the conduct of the police.

NOVA SCOTIA—NULLITY OF LEGISLATION—MARRIAGES.—QUESTION.

Mr. W. JOHNSTON asked the Under Secretary of State for the Colonies, Whether the statement is true that the Supreme Court of Nova Scotia had given a decision that, in consequence of the absence of the Great Seal, all Acts of the province, and all marriages contracted since 1869, were null and void; and, if so, what steps are proposed to be taken to remedy the illegalities?

Mr. J. LOWTHER, in reply, said, that a telegram had been despatched to the Governor General of Canada with a view of ascertaining the truth of the rumour to which the hon. Member referred. No answer had yet been received, but when it arrived the substance of it would be communicated to the House.

TREASURY AND EXCHEQUER BILLS BILL.—[Bill 88.]

(*Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER: I rise to move that this Bill be read a second time. I have already briefly explained, when I introduced the Bill, what its purport was, but I desire on the present occasion to say a few more words in explanation of it. In the first place, in order to remove any misapprehension I should state what the Bill does not propose to effect. The Bill is not intended to give any new or additional powers to the Chancellor of the Exchequer for increasing the public Debt of the country. Its object is simply to enable the Chancellor of the Exchequer in those cases where he now has, or in the future may have, power by law to issue Exchequer Bills or to raise money by way of Exchequer Bonds, to adopt, if he deems it expedient, another form of Exchequer Bill, called here a Treasury Bill. Right hon. Gentlemen on the opposite bench know very well what the arrangements are with regard to our floating Debt, and will quite understand what the object is that we have in view. When it is the duty of the Chancellor of the Exchequer to raise money for temporary purposes he has to choose commonly between issuing Exchequer Bonds and issuing Exchequer Bills. If he issues Exchequer Bonds, he has usually to borrow the money at rather a high rate of interest, never, I think, under 3 per cent, and more commonly at 3¼ or 3½ per cent. Therefore, that is rather an extravagant arrangement at times when money is cheap. The Chancellor of the Exchequer may also raise money by the issue of Exchequer Bills, and when he does that, he can obtain a rate of interest more in conformity with the market rate of the day; but still, as these Bills have a year to run, it is rather difficult for him, looking forward for so long a period, to put them out at the same rate of interest which may be the rate of the market at the time. It has constantly happened that when ordinary borrowers have bills at 1 or 2 per cent the Chancellor of the Exchequer, though he has the best possible security, is obliged to pay between 2 and 3 per cent. Besides that inconvenience attaching to the present form of Exchequer Bills, there is another which renders them rather unpopular as an investment. Exchequer Bills have now become so few, and so many of them are in the hands of public Departments, that they are almost lost sight of by the market, and there is comparatively little demand for them. Exchequer Bills are issued twice in the year, and may be presented for payment any time within six months of the end of the year. When they are sent in, they may be renewed or exchanged for other bills, but frequently they are paid. At the present time we find that the unfunded Debt of the country, which some years ago had fallen to a very low amount, is beginning to run up again, and on this account. It has of late years become the policy of Parliament to advance considerable sums on security to local bodies and others for local purposes. The money so provided is now greatly in excess of the repayments. Therefore, it is necessary to provide the money which is to be lent out from year to year to the different public bodies who under various Acts of Parliament are entitled to borrow from the Exchequer. Consequently, our unfunded debt, which was at one time as low as £4,000,000 or £5,000,000, is now about £9,000,000 in Exchequer Bonds, and about £4,000,000 or £4,500,000 in Exchequer Bills. Of course, a considerable portion of that sum mentioned as being in Exchequer Bonds is accounted for by the purchase of the Suez Canal shares, amounting to about £4,000,000. Besides that, however, there are large sums which have been lent for sanitary and educational purposes or under the Artizans Dwellings Act, and many other statutes which have been passed; and the demands for these loans are increasing, and likely to increase. Of course, then, it becomes an object for us to borrow the money at as low a rate as possible, and it has been thought by those who are conversant with the market and with these questions that it might be well worth our while to try the experiment of a new form of Exchequer Bill, which we here call a Treasury Bill. These bills will be issued periodically. We do not mean to set aside Exchequer Bills altogether in favour of these Treasury Bills; but it will be a matter for the Chancellor of the Exchequer of the day to decide in particular circumstances whether, when he has to borrow money under the authority which is given to him, he will borrow it in the one form or in the other. If he borrows in the form of Treasury Bills, they will be in the nature of bills issued for three months. They may be so arranged that the money shall be called for and the bills fall due at convenient times, month by month, or quarter by quarter, so as to spread the charge more equally over the year; and it may be convenient in some cases to issue the bills, paying the interest in advance at the time the bills are issued. That is the general idea worked out in the Bill; and I think the House will be doing what is good for the public service by allowing us to make this experiment, which is particularly desirable at the present time, when the price of money is very low. Our object is to pass the Bill quickly. There will be £1,500,000 or £2,000,000 which must be borrowed in the course of the present financial year, and we should like to have the power of borrowing it in the form I have suggested, rather than in the more expensive form of bonds or in the less convenient form of Exchequer Bills.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

Mr. DODSON gathered that the object of the Bill was to enable the Chancellor of the Exchequer to offer to the public a more handy security—one which would be more negotiable, and therefore more acceptable to the mercantile world generally. It was, he believed, an adaptation of—at all events it resembled—the practice which prevailed in France of issuing *Bons du Trésor*. He had no wish to object to the proposals now made. The only criticism which occurred to his mind was that it offered to the Chancellor of the Exchequer increased facilities, or temptations, for dealing with a kind of debt over which there was comparatively little control. Perhaps the right hon. Gentleman would state whether he would give the Chancellor of the Exchequer power to issue these bills at any rate of interest; whether he would be able to issue them at a discount; whether the limit on the amount issued would be the same as upon Exchequer Bills; and whether there would be the same power of funding.

The CHANCELLOR of the EXCHEQUER said, it was not now the practice to fund Exchequer Bills, and these would be in the same position. Practically there would be a discount, as a bill might be issued for £100 and the interest paid at once, the money given for the bill being in accordance with it. The limit of issue depended upon statute; there was no limit upon interest.

Mr. HERMON understood that these Treasury Bills would be short bills for temporary purposes, and congratulated the Chancellor of the Exchequer upon having devised a plan by which he would get money at a cheap rate for the public, and, at the same time, offer facilities for those who had money which they wanted to invest for a short time upon the best security.

In reply to General Sir George Balfour,

Mr. W. H. SMITH said, the Bill would give full power to the Treasury to frame regulations under which the payment of interest would be made; but the present intention was to constitute what was known as a clean bill, without coupons, giving to the holder for the time being the amount specified in the bill.

With regard to funding, any powers which attached to Exchequer Bills would be made to attach to Treasury Bills. There was no limit to the rate of interest; but the practical limit would be the difference between the interest paid on Exchequer Bonds, which was 3½ per cent, and the lower rate of interest paid on this new security.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

VALUATION OF PROPERTY BILL.

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

[BILL 63.] SECOND READING.

Order for Second Reading read.

MR. SCLATER-BOOTH, in rising to move that the Bill be now read a second time, said, that it was not his intention to repeat the arguments which he used on a former occasion for the purpose of showing the *à priori* necessity that existed for an improvement in the law relating to the valuation of property. He thought he might now assume that he had then sufficiently shown that, although, speaking generally, the existing law worked sufficiently well, there were imperfections in it which required remedy; that under it property was valued in a way not contemplated by Parliament; that there was an insufficient security for the uniformity which ought to prevail in the valuation of property throughout different parts of the country; and that the absence of such uniformity embarrassed the execution of various powers which existed under old Acts of Parliament having for their object the simplification and improvement of local administration, and also of the powers conferred upon the Local Government Board last Session, and, moreover, stood in the way of those improvements in local rating and government, and which they hoped would at no distant day be sanctioned by Parliament. He should also assume that the House and the country generally were satisfied that it would be a desirable improvement and simplification of the law if one basis were established upon which all Imperial as well as local taxes should be levied. He had this evening to show that those objects might be attained by the present Bill without unduly disturbing existing arrangements, and by means of two or three simple provisions which had both principle and precedent to recommend them. The Government had felt it desirable so to re-model and re-cast the laws in regard to the valuation of property as to retain in the Boards of Guardians the functions they now enjoyed with respect to the valuing and assessing of property. The Government were, on the whole, satisfied with the union assessment committee established by the Acts of 1862 and 1864, which had worked well in the past and might work sufficiently well in the future. They also approved the principle upon which these Valuation Acts were founded—namely, that the valuation and assessment of property for local rates should remain for the most part in the hands of those bodies whose duty it was to spend the greater part of the ratepayers' money. When the House considered that in country districts the Guardians had the spending of four-fifths of the ratepayers' money, were intimately acquainted with the circumstances of the ratepayers and their localities, they would, probably, be satisfied with the decision of the Government to retain the union assessment committee as the authority for regulating these assessments. What, then, were the means by which they hoped to secure that uniformity which was desired. Hon. Members were probably aware that there were in the rate book two columns—one stating in respect of these assessments the gross value and the other the net estimated rental. They proposed to secure greater uniformity in the statement of the gross value by a provision which united for this purpose already existing functions of the Inland Revenue Department, acting through the Surveyor of Taxes, and those of the union assessment committee, acting through the overseers, with the view of levying the rates. No new operations, therefore, were contemplated by the Bill; but merely a union of two operations with which ratepayers and taxpayers were already familiar. The Surveyor of Taxes was not, as some people supposed, an informer or person going about guessing what the value of property might be. He was, for the purposes of this Bill, an agent of the Inland Revenue Commissioners, who collected from the occupiers those returns of the valuation of their property which they were bound by the Property Tax Acts under heavy penalties to make, and which he believed they generally made truly and fairly, and the overseer was bound by the law to the principles of rating which had been established by the Assessment Acts. These two functionaries, operating together, would assist each other and throw light on each other's duties. The assessment committees would be guided not only by the local knowledge and experience of the overseers and their own, but also by the authentic documents which the Inland Revenue Commissioners could supply. Precedent and experience were in favour of this plan. In the first place, it was very well known to many hon. Gentlemen that the county justices who had an independent power of valuing for the purpose of the county rate did, as a matter of fact, have recourse to the information supplied by the Surveyor of Taxes' returns, in order to test and illustrate the information they had received from the different assessment committees which transmitted their valuations to them from time to time. He would go further and say that in many unions with which he was acquainted the same information had been sought by the assessment committees with the very best results. He could name many parts of the country where the effect of this Bill would be merely to put into a statutory form a practice which already prevailed. The Surveyor of Taxes, therefore, acting with the overseers under the provisions of the Bill, would effect that uniformity in the statement of the gross value which it was most important to obtain, and upon the attainment of which the Government were willing to accept that statement of gross value as a sufficient basis for the collection of the property tax. Uniformity as regarded the rateable value of property would, he believed, be sufficiently secured by the fact that in the Schedule of the Bill was placed a scale of deductions to be used by the assessment committees in determining the rateable value. He would be sorry to lay down a Procrustean rule, or to say that no exceptional circumstances could justify variation; but, as a general rule, he believed that under the provision he had named uniformity would be secured, and yet the jurisdiction and authority of the assessment committees be sufficiently maintained. We had experience and precedent in favour of this proposal, as we had with regard to the other. In the Metropolis, which contained so enormous a proportion of the wealth and population of the country, this arrangement with regard to the rateable value had been in existence now for some six years, and he believed it had worked extremely well. The experience of its working had undoubtedly fortified himself and the Government in presenting the Bill in its present form to the House. There was one alteration of some importance in the Bill as compared with that of last year. In the Bill of last year it was proposed that the justices in quarter sessions should appoint a committee to examine the valuation lists, with a view to secure uniformity in the assessment of the county rate. He had, however, struck out of this Bill the appointment of such a committee, feeling, in the first place, that it was unnecessary, and, in the second place, that it would interfere somewhat with the principle which the Government desired to stand by—namely, the exclusive power of the assessment committee to act in a primary degree as the authority on these subjects. The Bill gave the power generally to any local authority which found its assessments or its rating functions improperly interfered with by the imperfect action of the assessment committees to raise objections; and that power would extend not only to the justices in quarter sessions, if they were minded to exercise it or had justification for exercising it, but also to any body which might hereafter be formed, such as the county roads authority contemplated in the Highway Bill of last Session, or to any other authority having jurisdiction over one or more districts in a county. A few words now on the subject of appeals, about which there had been some misapprehension. Under the existing law there was no power on the part of any ratepayer to appeal against the valuation, or, in other words, the sum he was charged on the valuation, though he might appeal against the rate; but this was a very troublesome and irksome process, as it involved an appeal against all the rates with which he was charged. He would likewise be obliged to go before the Commissioners of Income Tax. This existing right of the ratepayer the Bill extended and improved, by enabling him to appeal against the valuation lists, so that the rates might be levied on the altered basis, and he would have no further trouble. Some people objected to the provision which allowed an appeal to the justices of petty sessions sitting in the district where the ratepayer resided, as an appeal from the higher tribunal of the assessment committee to an inferior tribunal. But there was an essential difference, which had not been commonly appreciated, between an appeal to the assessment committee and to the petty sessions or quarter sessions. The assessment committee had to make out the lists, and if there was afterwards any good ground of objection entertained by the ratepayer, it was right that he should have power to appeal to another tribunal. He had a right to go into a Court of Law and oppose the assessment on oath, and the Court would decide the question. That was an appeal of a very different character, of which they could not fairly deprive the ordinary ratepayer. He was a person to whom it was very inconvenient to go far from home for justice. The only alternative that could be given to him for the petty sessional tribunal would be to empower the assessment committee to administer the oath and act as a Court of Justice. That would be a proposal which had always been considered open to objection. The ratepayers were not to be put on their oath and cross-examined on matters of value without very serious cause. The assessment committee was only in the nature of an elected valuing body, and to give them on common questions the power of administering an oath would be open to the most serious objection. It was impossible not to give the ratepayer the opportunity of going before a magistrate and stating his case on oath. But appeals to the petty sessional tribunal would be of rare occurence. The appeal to the quarter sessions and to the High Court of Justice was of much greater importance. On questions which might arise between union and union and parish and parish appeals might be made to quarter sessions; and he did not know of any tribunal at once so accessible and so free from objection in a matter of this kind as the court of quarter sessions. It had been often suggested that County Court Judges should undertake the duties to which he referred; but he thought that the court which he had just mentioned, with its array of counsel, its publicity, its periodical sittings, and its well-known locality, possessed an advantage which it was impossible to gainsay. The appeals to the petty sessional and to the quarter sessional tribunals might be appeals either upon questions of fact, upon questions of law, or upon mixed questions of fact and law; and there was in the Bill a new provision on this subject to which he attached considerable importance—appeals on questions of law, affecting large classes of property, might be of frequent occurrence in the early history of this measure; and those appeals might, if it were deemed desirable, be removed at once from the assessment committee to the High Court of Justice. The provisions of the Bill relating to appeals gave securities and advantages which certainly were not enjoyed at present. Appeals would be made with the least possible trouble and expense, and the only exception that could be anticipated to this part of the Bill was that too much time and room had been left for appeals. The Bill was a very voluminous one, consisting of upwards of 100 clauses; and he might detain the House for hours if he went through and commented on all its provisions; but that was not his intention. To a large extent it was a measure of consolidation; and a great part of the machinery, on which much time might be expended, was familiar to the rating authorities and the rate and taxpayers generally. The real principles of the Bill, on which he relied for securing the more important of the objects he had shadowed forth to the House, were in themselves not very difficult to understand. They did not occupy much space in the Bill, and he thought it better to confine his remarks to those provisions. Those provisions had experience to recommend them. The Government, therefore, felt they were not embarking on any illusory experiment. They had shown trust and confidence in the existing local authorities, who had for many years transacted the duties with which they had been entrusted with very great credit to themselves and advantage to the country. They did not complain of the imperfections in the operation of the law; but they felt the time had arrived when they ought to ask Parliament to pass the amended measure which was now before the House, and to lay the foundation of those improvements in local administration which they desired to see effected, but which they were satisfied would not be effected until this important subject had been placed upon a proper footing.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sclater-Booth.*)

MR. J. G. HUBBARD rose to move an Amendment—

> "That no general Valuation Act can be satisfactory which does not provide in the Valuation List a common authority and a common measure for the purposes of assessment, thus charging local rates and Imperial taxes equally upon the net or rateable value of real property."

The right hon. Gentleman said, he had no doubt that the legislation of this and previous Parliaments was gradually preparing the way for what had been long wanted—one uniform basis and standard of value for the assessment of real property. The Valuation Acts of former Sessions had usefully prepared the way for the more comprehensive measure now before the House. He would not enter on the details of the Bill. He had a special object in the Motion he was about to submit. He accepted the explanations given by his right hon. Friend as thoroughly satisfactory, so far as they went. He did not, however, think his right hon. Friend had made any remark with reference to the official surveyor; but he understood that that official occupied in the measure under consideration a different position from that which he held in the Bill of last Session. Instead of being a person of paramount authority, he had now become a mere witness in concurrence with the assessment committee in forming the valuation list. But there was one important point which had been omitted by his right hon. Friend. In the 31st clause of this Bill it was recited that the valuation list was not only to determine the measure of the rates to be levied by local authorities, but also the amount of taxes to be levied under Imperial authority. There was, however, a curious discrepancy in the application of the principles upon which the measure was based—a discrepancy which his right hon. Friend opposite had considerately omitted to notice. Whereas the rates on real property were to be chargeable for all local purposes upon the net rateable value, for Imperial purposes they were to be charged upon the gross. This was an enormous discrepancy, and how would it operate? Taking England and Wales, there was in real property about £50,000,000 sterling to assess in value. This property was assessed at £45,000,000 for local taxation and at £50,000,000 for the income tax. Houses in England and Wales of the value of £80,000,000 were assessed at that for Imperial purposes, and at £64,000,000 for local purposes. The injustice was aggravated in the case of property that was encumbered and mortgaged. The gross value of an estate might be £2,000, and the rateable value £1,800; the encumbrance might be £1,600; and in that case the owner who received £200 would pay income tax on £400. The grievance could be remedied in the simplest way by the Motion which he submitted. The Report of a Scotch Committee which sat in 1865 showed that in Scotland deductions were made on account of the outgoings from the income of real property; and the Report of the Committee laid down the principle that the rent paid by the occupier was the measure of his ability to pay, but that the owner should be taxed only on what he received. This Bill would entirely reverse the position so laid down. The present Government had approved a Bill for Ireland which laid down one standard for rates and taxes; that standard by the rental less rates and repairs; and therefore in this respect justice had been done to Ireland. He did not address his arguments to the right hon. Gentleman the President of the Local Government Board, because it was impossible for that right hon. Gentleman, having this Bill in his hands, to make any objection to his Resolution, to which he thought he was entitled to look for the support of the right hon. Gentleman the Home Secretary. The only knight who would enter into the lists to tilt with him would be the Chancellor of the Exchequer, on whose behalf, in the 31st clause, that odious word "gross" had been inserted. In the cause of justice that word ought to be removed from that clause. One function of that clause had reference to the levying of local rates and the Imperial taxation; but another was that the valuation list was to decide the value of the qualifications of jurors, guardians, town councillors, and a variety of officers. The Chancellor of the Exchequer stood alone between his two Colleagues, the President of the Local Government Board, and the Home Secretary—the Local Government Board interpreting annual value to be net rateable value, the Home Secretary giving a similar interpretation. How could the Chancellor of the Exchequer retain such a word as gross after that? When the Local Government Board required a sovereign, they only wanted a sovereign's worth, and the Secretary for the Home Department only required the same value; but when the Chancellor of the Exchequer desired to extract money he wanted 25*s*. or 30*s*. He submitted to the House that it was clear that this measure having been introduced as a complete settlement of this great question ought to be sound upon all points, and should contain no propositions that were either unscientific or unjust. What were the objections to the very small change which he proposed to make in the Bill—namely, that instead of the valuation being based upon the gross, it should be based upon the net annual value of the property in respect of which the rate was made? It might be said that his Resolution, if adopted, would interfere with the Budget for the year, and that the House and the Government would be unwilling to bring about so serious a result. He met that objection, however, by pointing out that his Resolution would not affect the Budget for the year in any way, because, if adopted by the House, it would not come into operation until the 1st of April, 1878, and the first financial year would not end till the 31st March, 1879. He would now inquire what would be the amount of the remission of taxation that would be involved by his proposal. Taking the various items of taxation that would be affected by his proposal, he found that this act of justice would involve a loss to the Revenue of some £656,200, which would be but a small sum to the Chancellor of the Exchequer, who was paying off £5,000,000 per annum by means of the Sinking Fund and the Terminable Annuities. Moreover, it must be remembered that before they arrived at the year in which this sacrifice would have to be borne or considered, they would be in a very different position with regard to the magnitude of the amounts to be assessed. Such had been the indefatigable zeal of the Inland Revenue officers, and also of the assessment committees throughout the country, that the assessable value of houses and land had been progressing at such a tremendous pace that he ventured to say in the year 1878-9 the receipts, after all deductions made, and all the outgoings on land, houses, and inhabited house duty, would be quite as large a sum as that now received on the gross value. He thought he had shown the enormously oppressive character of the grievance, and that the change could be made with perfect safety. He (Mr. Hubbard) had that day paid his taxes, some of them levied under the metropolitan authority, and therefore assessed on the net value; but when he came to what were called Queen's taxes he found that he had to pay on a different assessment. He protested against the Queen's name being used in connection with such an act of plunder. He hoped in two years' time to see all rates and taxes brought into one paper and levied upon the same amount.

MR. SAMPSON LLOYD, in seconding the Amendment, said, he thought hon. Members would agree that there was a great anomaly in having property assessed for taxation by six or seven different persons and in an equal number of different ways. It must be self-evident that taxation, which was professedly imposed upon annual value only, could not justly be imposed on what was not actually received by the taxpayer. The justice of the principle embodied in the Amendment of his right hon. Friend had already been conceded, and if it were urged that the Exchequer could not afford the loss which its full adoption would entail, he would venture to say that no system of taxation was so prejudicial to the real interests of the Exchequer as that which perpetuated petty injustices which led to evasion and fraud.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no general Valuation Act can be satisfactory which does not provide in the Valuation List a common authority and a common measure for the purposes of assessment, thus charging local rates and Imperial taxes equally upon the net or

rateable value of real property,"—(*Mr. J. G. Hubbard,*)
—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend the Member for the City of London (Mr. Hubbard) has spoken of me as the cause of all the mischief which he complains of in this Bill, and therefore I am bound to say a few words in reference to the Motion. I cannot help remarking, in the first place, that though my right hon. Friend is following a course which may very well be expected from him in taking any opportunities at hand to bring forward the proposition which, in some form or other, he has been for so many years urging upon Parliament, yet he has chosen rather a peculiar moment and peculiar form in bringing it before the House on the present occasion; because this is a Bill which, as he has truly said, is a step, if not a very long step, in the direction in which he himself desires Parliament to go. He is interposing his Amendment, which is, in fact, a Motion to delay, if not to defeat, the progress of the Bill. I do not suppose that he proposes to defeat the Bill; but he is no doubt bringing forward this Motion in a form which will delay its progress. As it appears to me, this is a Motion which is hardly germane to the question of the second reading of the Bill. I have no doubt that when we come to the discussion of the 31st clause of the Bill in Committee my right hon. Friend may naturally object, on the grounds which he has stated, to a few words which appear in that clause; but to say that we are not to proceed to the second reading of the Bill, which has for its purpose a great reform in the whole system of assessment and valuation of property, until we have decided upon the adoption of propositions such as that which my right hon. Friend has brought forward, appears to me, at all events, to be somewhat of an unbusinesslike mode of proceeding. My right hon. Friend always takes very high ground; he takes very high mathematical and moral grounds in this matter, and he is not satisfied unless the whole system of our taxation is, in his view, correctly distributed, and the burden of any particular tax placed in the right way to meet every class; and if that is not done he does not spare the strongest language of denunciation, and says we are plunderers and extortioners. In fact, no word is too bad for a Government which proposes to levy taxation in a way which is not altogether equal. But, in reality, the question is one, however difficult and complicated, which it is impossible to deal with in the very simple way which my right hon. Friend proposes. It cannot be done without taking several of the direct taxes to pieces and re-constructing them from top to bottom. We have heard a great deal about the income tax, but I would say a word about the house tax. With regard to that, my right hon. Friend gave us an estimate of the loss which he thinks the Revenue would sustain if it were levied upon the net, instead of the gross, value. In that calculation, which may or may not be correct, my right hon. Friend has forgotten that there is another element in the case. If you reduce the value in the way my right hon. Friend proposes you will let a large number of houses free from taxation altogether, because they would come under the point at which taxation commences, and that no doubt would make a very serious addition indeed to the loss of the Revenue. I do not know whether my right hon. Friend contemplates that these houses shall escape, or whether we are to take the tax, and reconstruct it in order that we may still tax these houses. I undertake to say that if you begin to pull about the structure of the house tax, for the purpose of adjusting it to the rateable value rather than to the gross estimated rental, and at the same time desire that there should be no loss to the Revenue, you will find that there will be a great many difficult questions to solve. Still more striking is the case with regard to the income tax. As regards what I have said about abatements; it would, of course, apply also in connection with the house tax, but in the case of the income tax you will come into other complications. I cannot enter into such questions as have been opened up this evening; we have no right to entertain such sanguine views. To take a simple instance: Supposing a man had a property worth £400 gross value, and £300 net value. Another system would be adopted; but surely it would be the same result, whether you levied at 4*d.* on the pound on £300, or 3*d.* in the pound on £400. But if the plan suggested were adopted, you would be reducing the Revenue, and must recoup yourself in some other way. You might have recourse to the income tax, and raise it, not only on Schedule A, but on B, C, and the rest. You would be pleasing one class and greatly displeasing another class, rousing again the cry for re-construction of the tax, with a view of removing the additional burden thrown on Schedule B. I know from speeches made on former occasions by my right hon. Friend that he does not shrink from that result, because he is prepared to extend to industrial incomes a system of abatements which would make up to them for the gain given under Schedule A to holders of real property. My right hon. Friend does not make such a proposal now, because it would give a handle to those who are opposed to his Amendment, but it is clear that the difficulty cannot be avoided. If you did make this change you would have to raise the question of industrial incomes, and the House has always refused to do so, by considerable majorities, and, as I think, in the exercise of a wise discretion. I cannot but think that if my right hon. Friend's proposal were carried out, we should find ourselves in a hornet's nest, and that the new difficulties we should raise would be greater than the old difficulties we tried to avoid. I do not, however, wish the House to prejudge this question. If it is to be introduced let it be done, and let it be discussed; but do not let us stop the progress of this Bill, which is an important and good Bill, and requires and deserves the attention of the House. We desire by this to secure a uniform system of valuation for the whole country, and I hope the House will not be attracted by what I may call this red herring drawn across the scent. We have a rate book with two columns—one containing the gross rental, and the other the rateable value. It is a great point to get that book—what may be done with it hereafter we know not. I trust my right hon. Friend will be induced, for the sake of the object we all have at heart, to allow us to proceed with the Bill.

Mr. RAMSAY, who had given Notice of the following Amendment:—

"That in order to secure the just and equal incidence of all Imperial and local rates and taxes which are levied on real estate, it is necessary to provide one uniform system of valuation throughout Great Britain; and, therefore, considering that the Act (17 and 18 Vic. c. 91) for the valuation of lands and heritages in Scotland has operated satisfactorily in that Country, it is expedient when altering and amending the existing Law of England, to assimilate its provisions as nearly as may be to the Law of Scotland in regard to valuation,"

said: I had not intended to address the House at this stage of the discussion; but the remarks made by the right hon. Gentleman opposite (Mr. Sclater-Booth) and by the right hon. Gentleman the Member for the City of London (Mr. Hubbard) induce me to speak now, in the hope that I may be able to satisfy the House that this Bill is not one which will secure a uniform system of valuation. The right hon. Member for the City of London (Mr. J. G. Hubbard) somewhat misapprehended my object in placing my Notice of Motion on the Paper. I had no other object than to secure a just and uniform basis on which all assessments should be levied—I had no idea of determining the rates to be levied on the actual value obtained. My sole object was to secure that the actual value should be ascertained by some definite rule such as that embodied in the words of the Scotch Act—

"That in estimating the yearly value of lands and heritages"—an expression closely corresponding with the English phrase 'real estate'—"the same shall be taken to be the rent at which one year with another such lands and heritages might in their actual state be reasonably expected to let from year to year."

It has long been the anxious wish of this House to secure a uniform system of valuation; and my objection to the Bill now before the House is that I do not find in its provisions any adequate security that the annual value of the real estate shall be actually ascertained. Not only does the right hon. Gentleman who introduced this Bill ask that the valuation shall take place once in every five years only, but he makes no adequate provision that the overseers who are to make up the assessment for every parish shall have any properly qualified person to make up that list. Without some such provision I do not see how you are to get that uniform basis for levying your rates and taxes. I am told that the Surveyor of Taxes is so empowered. I quite understand that if you were to lay down some such definite rule as we have in Scotland for ascertaining the yearly value of each tenement, it would be possible to employ with advantage the Surveyor of Taxes to make up the valuation roll for every county in England; but so long as you leave the overseers and the assessment committees in the several counties of England in the indefinite position in which they are left by this Bill, there is no adequate provision, as I have said, for ascertaining by one uniform rule the actual value of the several tenements from year to year. When I say this, I am quite aware that the right hon. Gentleman has made better provision in the Bill of this year than in the Bill of last for making up a supplementary list. But what is the advantage of that? If you make a supplementary valuation roll for any of the larger towns the number of changes that occur in one year may be counted by thousands. If you are to make up supplementary lists for thousands, why postpone the new lists for five years? It is an injustice to Scotland that five years should be the term of a valuation here, and that the obligation to make up the roll should be annual in Scotland. Hon. Members smile at the mention of injustice; but is it not injustice if two countries, which should pay similar rates and taxes, have their common taxes levied on an entirely different basis, and the method of obtaining which basis is determined in the one by a definite legal rule, and in the other is left to the discretion of individuals? Hon. Members need not be amused at the suggestion that they can learn anything from Scotland; and I would remind them that the Act upon which I would like to see this Bill modelled is not the Act of a Scottish Parliament, but of the Imperial Parliament. There must be many Gentlemen in this House who took part in the passing of the Act of 1854, which proceeded on definite principles. I would beg leave now briefly to explain what the Scotch principle really is; and if I have succeeded in making myself understood, the House will readily perceive that it would be an advantage if while adopting some of the provisions of the Scottish Act you were to carry it out entirely. After you had thus got uniform valuation throughout the whole country, you could determine the deductions that should be made from the different classes of property, in order to provide that the annual value which accrues from each tenement to the owner or occupier should be the measure of the rateable value. I have no objection to the proposed deductions, if you first have your uniform basis of valuation. This system has worked to the satisfaction of the people of Scotland during the 23 years that Act has been in force. Previous to 1854 we had the same diversity of practice that exists in England at present. The arrangement now is that the magistrates in the several burghs, and the Commissioners of Supply in the several counties, annually appoint a person to make up a valuation roll which contains the name and designation of every owner and occupier in the country. It contains the actual value at which each several tenement is let from year to year; and we have in that way arrived at a basis on which we can found our assessment. The assessments are levied subject to deduction. Previous to 1854 we had what was called the ancient valuation or "valued rent," and the Commissioners of Supply were instituted at first in Scotland for the purpose of imposing the assessment called the land tax. That it would appear from various statutes has ceased to be necessary, as the Commissioners of Supply have no power with regard to the land tax; but it is still their practice to impose the tax. The assessor having been appointed in each county and burgh, makes up the assessment roll, and it is completed annually under his superintendence, and contains all changes made in the course of the year. You propose to have a new valuation every quinquennial period, and to make up accurate returns by way of supplementary lists annually; but you will not succeed. The attempt has been made elsewhere. If the Bill does pass, you will still not have secured uniform valuation. In Scotland a committee of the Commissioners of Supply are appointed to hear appeals. The right hon. Gentleman who introduced the Bill has taken advantage of a wise provision in our Scotch law, providing that an appeal may be made from the local authorities to the Supreme Court; and to show how satisfactorily this work of assessment has been done by the local authorities in Scotland, and how much satisfaction it has given to the people at large, it will be sufficient that I mention that only

117 appeals have been taken during the last 20 years in that country. But the provision in this Bill is very different; the appeals are to go from the assessment committee, and the original list is made up by the overseers. It would have been better to have had more consideration for the experience of Scotland, and to have assimilated the law more closely. I am no advocate for indiscriminate assimilation; but I was encouraged by the remark made by the Home Secretary the other evening, when he said he wished to see the law of the two countries assimilated as much as possible. I also desire to see that, when you can have it done with due regard to the feelings and sentiments of the population. I think this House has erred very much on several occasions in ignoring the sentiments of the people of Scotland; and I think that Gentlemen sitting opposite, who know the history of that country as well as I do, have cause to regret that their feeling has not been allowed to have more influence on the House when there has been legislation without reference to Scottish wants and wishes. The right hon. Gentleman would do well to make this Bill correspond in all respects with the Scottish law; because there is no one thing in the Scottish system which might not be worked in England quite as beneficially as it is in Scotland. I know objection is taken to the expression "Commissioners of Supply," and I may be told in public, as I have been told in private, that you have not in this country any class corresponding to those who are Commissioners of Supply in Scotland. That objection arises from misapprehension. The Commissioners of Supply are practically all the owners of real estate in land worth £100 a-year annual value, according to the valuation roll of their respective counties, or £200 a-year in houses other than those used for agricultural or pastoral purposes; a provision of the law being that property, such as dwelling-houses and buildings used for manufactories, shall be regarded as only of half value for the purpose of qualifying for Commissionership of Supply. I would have no objection to see in England the justices in quarter sessions taking the place of our Commissioners of Supply. They are generally well qualified by the possession of real estate to act in that capacity. If the Bill were, with that exception, made like the Scotch Act, justice would be done to that country that is not done at present. There is a good deal to be said in favour of the right hon. Member for the City of London's theory that rates should only be levied on the net income derived from real estate, but this is of less consequence than at first sight it appears; because in the event of a certain sum of money being required from a definite area, it is no matter whether you increase the sum on which you levy the assessment, or increase the rate of assessment itself. As the Chancellor of the Exchequer said—If you reduce the amount on which you levy the assessment, you must increase the rate. Therefore, the Amendment of the right hon. Gentleman raises the separate question of what deductions you shall have in order to arrive at the rateable value as compared with the real value. My object is to effect the establishment of a uniform valuation throughout Great Britain, and it is an object which, I hope, will soon be accomplished.

Mr. PELL admitted that there was a great deal that was true in the Amendment, but he intended to vote against it, because it would delay the progress of the very important and useful Bill introduced by the Government. This was the fifth attempt made within 10 years to deal with this question, and he preferred to go on with the consideration of the measure rather than discuss an Amendment which might be more suitably discussed on another occasion.

Mr. MUNTZ said, that what the country wanted were not lower assessments, but assessments upon a fair and equitable basis, and this Bill, which was in many respects a most valuable one, would provide for that. The greatest injustice was perpetrated under the present system; for instance, a man paid a rent of £1,000 a-year, but he was assessed upon £1,500, and though there was a deduction for county and local rates, yet he had to pay income tax on the £1,500, and, consequently, he would have to pay *3d.* on £500 out of his own pocket, as his landlord only allowed him to deduct it from the amount of the rent. Now, that was the present system of valuation, it ought to be got rid of; and he hoped it would be by this Bill. The object of the right hon. Member for the City of London (Mr. Hubbard) was to get rid of the wrongs inflicted under the

Income Tax Act; but he (Mr. Muntz) did not, by voting for his Amendment, like to risk the loss of this Bill, and therefore he would recommend the right hon. Gentleman to withdraw his Amendment, and to move it when they came to the 31st clause in Committee. There had been five or six attempts to deal with the question, and this certainly was by far the best Bill they had yet had. He therefore hoped that the second reading would be agreed to.

SIR WALTER BARTTELOT said, he hoped his right hon. Friend (Mr. Hubbard) would not press his Amendment to a division. This Bill was, in his opinion, one of the most important Bills that could be brought before the House, but it did not seem to have excited so much interest as he thought it ought to have excited. He would suggest to his right hon. Friend the Chancellor of the Exchequer that which he (Sir Walter Barttelot) had heard many say in and out of the House—namely, that it was not a wise plan to have so many important Bills read a second time, instead of pressing one Bill through its stages. Under the present mode of conducting Business, Members never knew what was coming on, and, instead of the Bill which interested them the most coming on, they found other Bills placed before it, and then two or three other important Bills left side by side. He believed his right hon. Friend the Member for the City of London had brought forward his Resolution with a determination to carry it if he could; but there was a time for all things. He would advise his right hon. Friend to hold until they got into Committee, because many would vote against his Amendment on the ground that it would stop the second reading of the Bill; and if he were beaten—as he would be by a large majority—this would happen when the Bill reached Committee:—Members would say at the door—"It's only Hubbard's Motion; he has been already beaten; vote for the Government and against him." There would be a better chance of a good discussion in Committee on the very important question which his right hon. Friend had raised if he would withdraw his Amendment. His firm hope was that his right hon. Friend would succeed when he brought forward his proposition in Committee. The great object of the Bill was to make everything connected with assessment uniform throughout the country. The Act of 1862 first established assessment committees, and on those committees the Act threw great responsibilities and grave duties. They laboured, however, under great disadvantages, because there was no Schedule of deductions attached to the Act. Since then there was the amending Act of 1864; and in 1874 an Act for rating mines, woods, and sporting rights. On both these occasions it was necessary to go over again the work of assessment, and everyone who was engaged on it would remember the heart-burnings and difficulties which awaited those who tried to carry out those Acts fairly and legitimately. Nevertheless, they did not establish a general uniformity, which was now the purpose of this Bill. Were its provisions sufficient for that purpose? First, with reference to the work done by the overseers. They all knew how the overseers did that kind of work. He gave them every credit for the pains they bestowed on that matter; but some of them were utterly incapable of understanding what they had to do, and they took it from others. That was the basis on which they began their assessment. His right hon. Friend said that the assessment committee inaugurated the rate book; but he held that that was done by the overseers; and he believed that if it were put into the hands of the assessment committee, and if they were bound to inaugurate the rate book, with the power of calling in some assessor or valuer, they might begin on a better foundation than they did at present. He knew two cases in which small men were rated, the one £15 on three acres, and the other £9 on two acres, up to the fullest value of their holdings, while large holders who adjoined them were rated 25 per cent below the rent they paid. He mentioned that to show how difficult it was to get these things equitably adjusted. In Ireland, after the Poor Law was passed, about 25 years ago, there was a general valuation of the whole country—called, he believed, Griffiths's valuation. That stood to the present day. No country in the world had improved as much as Ireland during the last 25 years. ["No, no!" *from the Irish benches.*] He could not believe any Irish Member would deny that. Having visited Ireland repeatedly, he could positively affirm that no country and no people had ever improved so much. He did not say that the valuation did not require any alteration; but if they laid down some general valuation for this country, and had some definite basis on which to go which did not change so rapidly as some people were led to expect, their woodlands, their underwood, their land, their houses, and their cottages would all be valued according to some rule, which was certainly not the case at present. Under this Bill, all the taxes were to be collected on the same basis. He understood that for the income tax, the county rate, and the local rates there was to be one valuation. That would be a great improvement. The valuation for the income tax was at the present time the highest of the three valuations, and how had it been arrived at? The rent had been taken as a general, but not as an absolute, rule. There were few of them who had not had experience of how these things had been done. It was an illustration of the old rule of thumb. A man had a house of the yearly value of £150. He found to his astonishment that he was charged at £160, or £10 additional. Not thinking it worth while to appeal, he let it go; and what did he find afterwards? That it was raised to £165. And so it went on, not according to the value of the house, but it being thought that the house must be raised something, it was raised arbitrarily. The Surveyors of Taxes seemed to do these things as they thought fit, whether there was any reason for raising the valuations or not. The case of cottages was a much stronger one. He had looked at his return with astonishment and found that all his cottages which had been put down at £4 were raised to £5. He appealed, and got the thing altered. Under that Bill there ought to be, where owners agreed to pay the rates, whether the cottages were occupied or not, a deduction of 30 per cent, as was the case now. In the Bill it stood at 25 per cent, which was not sufficient. As to the county rate, it had been very fairly assessed in most counties because the magistrates had an opportunity not only of looking at the income tax returns, but at other information, and they had endeavoured to place the assessment on a sound and reasonable basis. Then coming to local rates, every one would agree how especially necessary it was they should be on an equal footing, which, however, they certainly were not. But this would not be the case if the Scotch system, as recommended by the hon. Member for the Falkirk Boroughs (Mr. Ramsay) were carried out, as there leases for 19 years were the rule, and the rate would be levied according to what the tenant paid for the first year, although during the last six or eight years the farm might be worth 25 or 30 per cent more. They had by that Bill four appeals. He knew that some persons objected to the appeal to the petty sessions; but he believed the petty sessions would be the tribunal to which many of those appeals would be taken, because it would be the Court most accessible. The provision that everyone whose rating was altered or raised should have notice served on him was very important, and it would obviate many difficulties which had hitherto occurred. He had sent copies of this Bill to all his Boards of Guardians, and he was bound to say, not having had any special correspondence except from one Board on the subject, that he believed they deemed the measure a very great improvement on the one of last year. They were still to have the Surveyor of Taxes; and the Board of Guardians to which he alluded found great fault with his being there in any shape. But under the Bill the Surveyor of Taxes would not be there as the sort of lord paramount which he was in the Bill of last year but as an objector, like other people, and it was only to be desired that that officer knew more about land and tenements than he would do when he went there. Some alterations in Committee would be required, and none more, perhaps, than one suggested by the Amendment of his right hon. Friend (Mr. Hubbard); but if this Bill became law it would, he trusted, fix for many years to come a definite, fair, and uniform basis of valuation for the country.

Mr. HUTCHINSON said, that he wished to make a few observations to the House on this subject, but in doing so he must appeal to the House to extend to him that indulgence which they usually granted to new Members. He intended to vote for the second reading, because he believed the end which the Bill sought to attain was one that they all desired; but, at the same time, he did not think the means by which it proposed to carry out its object were equally worthy of approbation. He objected to the centralization tendency of the Bill, and the power which it conferred upon the Local Government Board of interfering with the action of the local authorities; but he thought the provisions of the measure were sufficiently elastic as to be capable of satisfactory amendment in Committee. If the Government wished to obtain the assistance of the class best fitted to join in the work of local government they must endeavour to magnify the office at least by leaving the local authorities a good deal to themselves. If not, men of education and position would be found disinclined to join these tribunals when they were established.

MR. KNOWLES said, the Bill assumed that it was an easy matter to find the gross value of the different properties of the country, and it dealt with every description of property except minerals, which were altogether ignored in the Bill. He did not refer to those mines which were provided for by the Act passed three years ago with reference to lead, tin, and copper, but to coal and iron mines. Perhaps there were not two mines in England in which that property was assessed on the same basis. In all the cases that he was acquainted with the rule followed was simply the "rule of thumb." When the owners appealed to the quarter sessions the result was always a compromise, and this meant that the battle had to be fought over again when the next rate was laid. If the House got into Committee on the Bill—as he hoped it would, for the measure was a great improvement on its predecessor—he trusted the President of the Local Government Board would do something to remedy this state of things, and he believed the result would be, not a decrease, but an augmentation of the Revenue.

MR. CLARE READ: This, Sir, is the fifth Valuation Bill that has been brought under the consideration of the House during the last 10 years. At the same time, I am not aware that there has been any considerable agitation in the country in favour of such a measure, nor do I know that there have been any public meetings or Petitions to this House asking for the abolition of the existing Valuation Acts, or for a measure such as that now under consideration. But I do know that the occupants of both the front Benches of this House, and also the Local Government Board, are greatly in favour of this Valuation Bill. And, Sir, I am one of those prejudiced individuals who, whenever they find that the two front benches of the House and the officials of the Government are supporting a measure which has not the support of the country, invariably arrive at the conclusion that it is a measure which has for its object an increase of centralization, and, likewise, the imposition of still further restrictions on local self-government. In fact, we find introduced into this Bill a paid officer of the Crown, whose duty will be not only to regulate the amount of the Imperial taxes which each man has to pay, but who will, for the first time in our experience on this subject, have to regulate the amount of the contribution which every ratepayer will have to contribute towards local taxes. Now, Sir, when the measure of last year was brought forward, I had no opportunity of saying a word upon that Bill in this House; but I did make one or two observations with regard to it in the Provinces. I remember saying that of all the Valuation Bills that had ever been brought before Parliament, I considered that to be the worst; and I said so on three grounds. In the first place, it contained no provision for the establishment of a County Board; in the second place, rent was made the minimum of value; in the third place, the Surveyor of Taxes was entrusted with powers that ought to be assigned to no mortal man—especially to a Government officer. I am glad to find that this Bill has been very considerably altered since it was brought forward last year, and I may add that I think it has been very much improved. The wings of the Surveyor have been clipped; but, Sir, I cannot but think that he may still prove to be not only a very powerful, but also a very troublesome person. He is an officer who has the power and the wealth, if I may use the expression, of the Inland Revenue at his back; and I contend that a man who is so armed will be much more than a match for any parish overseer, and also for the majority of the ratepayers. Now, Sir, I am one of those who approve of the main principles of this

Bill—that is to say, in so far as it provides that we should have one uniform assessment on which to levy Imperial taxes and local rates; but I do very much desire that we should have a firm and fair basis upon which those rates and taxes can be levied. From my own experience in reference to taxation, I am led to conclude that the rule is this—to extract from the taxpayer the uttermost farthing that can be got. With regard to assessment, I believe the true principle is, and always has been, to establish an uniform equality between the ratepayers. The House heard a good deal the other night about *Magna Charta*, and the rights which that famous grant conferred on Englishmen. It was held that one of the principles it established is that every Englishman is to be considered honest until the contrary can be proved; but, Sir, the experience we have had in dealing with Imperial taxes has led me to think that the Surveyor of Taxes considers every man to be a rogue until he has proved himself to be honest. Then, Sir, I may state that I can, if necessary, cite hundreds of instances to prove that what I am about to say is true; but if the House will allow me, I will endeavour briefly to show them, from a recent experience of my own, what sort of a valuer the Surveyor of Taxes generally is. I hired a small farm three years ago on a long lease. There were 166 acres let at 10*s.* per acre for the first two years, and for the rest of the term I was to pay £1 per acre. The rent, consequently, in the third year, was £166, which sum was accepted by the assessment committee at the rateable value without any cavil. But the Surveyor of Taxes surcharged me up to the sum of £238. Why, Sir, the man must have been a born fool to suppose that any farmer who cultivated stiff arable land last year could by any possibility obtain a profit out of it. I think it extremely hard; and that to make a surcharge under those circumstances was only adding insult to injury. I lost £200 on the farm, independent of the amount I had spent in improving it, and beyond this my unfortunate landlord was saddled with a bill of £68 that I sent him for draining tiles. Instead of having the assessment put up to £238, I say that we ought to have paid nothing whatever. I need not say that I very soon got the assessment reduced to the proper amount—£166. [Mr. SCLATER-BOOTH: Hear, hear!] My right hon. Friend says, "Hear, hear;" but I should like to know whether the right hon. Gentleman has been subjected to the indignity of going to make appeals against these surcharges? What is the process? You first of all take the farmer away from his occupation for the whole of one day, and then he has to spend the time so abstracted in some country inn, where he either has to sit in a small and crowded smoking room, or to wait about in some dark passage until his turn is called, and then, perhaps, if he happen to be a man of sufficient influence and strength of mind to be able to master the Surveyor of Taxes, it may be all very well; but if he be only a poor and ignorant man he will generally "go to the wall." I remember that the hon. Gentleman the junior Member for Birmingham (Mr. Chamberlain) stated in the eloquent speech he made a short time ago on the second reading of the Prisons Bill, that "What we wanted was to elevate the dignity of local life." But, Sir, I know of nothing in the incidents of local life that subjects a man to so much indignity as to have to go and appeal against these Imperial taxes; and, if I rightly caught what the hon. Gentleman said, he added that "Local self-government furnished the means for a political education." I happen to know a very easy-going and contented Conservative farmer who, after having undergone the "education" derived from three of these appeals, turned out to be a very troublesome Radical. Well, Sir, we are told that we are to have uniformity of valuation, and I will ask the House to consider how this is to be arrived at. In my opinion, this Bill lays down no new basis whatever. It simply goes back to the Assessment Act of 1862. ["No, no!" *from the Ministerial benches.*] Really and truly there is no difference between them that I can understand, except that one speaks of what a hereditament will let at "from year to year," whereas we now have it put as what it will let at "one year with another," whatever that may mean. This is, perhaps, rather more in favour of uniform value than the actual rent. We have heard from the hon. Member for the Falkirk Burghs (Mr. Ramsay) a description of what is the principle of valuation in Scotland; and, Sir, I must say that I am rather in favour of their mode of assessment. It certainly has these advantages: it is cheap, it is easy, and under it every man is his own valuer. ["No, no!"] Hon. Gentlemen say "No, no," but I say "Yes, yes;" every man in Scotland is his own valuer under the Scotch system of assessment, for he pays on his rental. [Admiral ERSKINE: No, no!] The hon. and gallant Gentleman near me (Admiral Erskine) shakes his head and repeats "No, no;" but I say that the main principle of Scottish valuation is rent—actual rent. And I would point out that while rent is a fact, value is, after all, nothing more than an opinion. When the hon. and gallant Admiral says I am wrong, I mean to say that they take rent as the basis in Scotland even up to 21 years; but it is very different in England. In Scotland a man will pay a moderate rent for a bad farm, and during the 19 or 20 years the agreement exists, however much he may improve the farm, there is no power to put him up and charge him on the improvements as there is in England, because in this country, however bad may be the condition of a farm, as soon as the farmer has spent money on it, and got it into good condition, down comes the Surveyor of Taxes, or perhaps some kind neighbour upon him, and up goes the assessment. It has been said by my hon. and gallant Friend the Member for West Sussex (Sir Walter Barttelot) that "You cannot have this sort of valuation; you cannot take rent as the basis of assessment in England, because there are so many estates upon which the land is let below its real value;" but I ask the House whether this really is so very much the case? If I look at Scotland I do not find that there are in that country a great number of farms unlet; but if I turn to some of the best landlords in England—men who hold the largest estates—I find that they have hundreds and even thousands of acres of land to let, so that if land is really so cheap in England compared with Scotland, I should suppose that the "canny Scots" would come and take some of these farms. Then, Sir, I would also say that if you should determine upon taking rent as the actual basis of your assessment, I think the Surveyor of Taxes might be an exceedingly useful officer. In that case he really could do us some essential service, and we might have, as they have in Scotland, some Government officer who would assess the canals, railways, and other public works throughout the entire country. I have said that in Scotland they have rent as the basis. I will now turn to Ireland, and see what they have there. In Ireland they have value as the basis; there is a Government official who has valued the whole of that great country on one uniform basis, and we have before this House at the present moment a Bill to amend the Irish Valuation Act—a Bill which goes on exactly the same principle—namely, that of value based on the agricultural productions of the soil. I say, Sir, that that is a good plan, and that the Scotch plan is a good one; but we have a plan in England which mixes up these two together, and which is essentially bad. What is it that we have in this country? We have one Union taking a uniform value as the basis, and another taking rent; we have a third taking sometimes rent and sometimes value, and a fourth going probably on some particular *dicta* laid down by the chairman of the assessment committee. Now, Sir, what I contend is this—We ought to have one system or the other; we should have either rent or value; and if we should determine on having value, I agree with the hon. and gallant Baronet the Member for West Sussex, that it is essential we should have a county valuer. And here I desire to illustrate what I mean when I say that if we take value we ought to have a county valuer. If we take sometimes rent and sometimes value, we may in the end get a very high assessment. For instance, take the case of some man who has a great deal too much money, or who is very ignorant, or even one who is very poor and has nothing to lose; suppose that some such man comes into a parish and takes a farm at 40*s.* an acre, whereas the actual value of the land is not more than 30*s.* an acre. Let us suppose, also, that he is a cantankerous individual, and that he is blessed with special powers under the Bill of my right hon. Friend to appeal against all his neighbours. He goes before the assessment committee and the quarter sessions, and proves that his land is no better than that of A, B, and C, all round him, and he is assessed at his rent of 40*s.* an acre, whereas A, B, and C are only rated at 30*s.* for their land. What is the result? The Surveyor of Taxes is there, and he will be sure to say—"You cannot put that man at less than 40*s.*" I agree with him that for the purpose of the property tax the man has no right to be put at less than his rent; but, at the same time, if there is to be uniformity, the unfortunate men around him will be put up to the same level as himself. They may all be raised to a higher level than is required by the strict justice of the case. My right hon. Friend (Mr. Sclater-Booth) has stated, on another occasion, that there is great injustice inflicted on the ratepayers in consequence of the present inequality in the assessment. I do not think, however, that he will say there is much inequality between ratepayer and ratepayer in parishes, and I apprehend that, on the other hand, he will not say there is any great inequality between parishes and parishes in Unions; but he will, probably, contend there is great disparity between the different Unions in a county. Of course there is a disparity, and if all the counties in England paid county rates on their Union assessments, there would be a considerable amount of injustice. But the great majority of the counties of England have a separate assessment for the county rate; and I contend that if every county in England had done what it might have done—that is, if each county had had a committee for the purpose of revising the county assessment, there would have been no great necessity for this Bill. If I understood my right hon. Friend (Mr. Sclater-Booth) rightly, he stated that there were 34 counties which have adopted in one way or another the power which was placed in their hands of altering the county assessment and making it uniform throughout; and, consequently, there are 17 counties that have taken no trouble about it, but have simply adopted the Union assessment. I believe there are only five counties that have gone to the trouble and expense of employing paid valuers to make their assessments; but there is no doubt that a great majority of the counties have taken Schedule A, and so equalized the Unions, that there is little or no injustice in the way in which the county rates are assessed. My right hon. Friend, when he made his speech on the Bill of last year, dwelt with very great force on the various deductions made from the gross estimated rental to form the rateable value, and he produced a table of the deductions prevalent in my own county, for the purpose of showing from it that there was a great discrepancy. That may be so; but what I contend is this—that although I do not back up those individual deductions, there is a necessity under this Bill, and also under the present Act, for making a considerable difference in the deductions allowed, even on naked land. Let us take the case of a piece of naked land. If I have been rightly informed, my right hon. Friend derived his information from a town in my own county—the town of Lynn. Within a few miles from that town there is land that is let at £5 an acre, and other land that is let at only 5*s.* an acre; and I argue that it requires a greater expenditure on the part of the tenant to keep that 5*s.* an acre land in a state to preserve the rent than it requires to keep the £5 an acre land in such condition. Well, Sir, if you take a uniform deduction of 5 per cent that will be 5*s.* an acre for the good land that does not want it, and 3*d.* an acre on the bad land that really wants more. But these are only exceptional cases: I will take a very common case, which I daresay is prevalent in all counties. I will take large tracts of sheep farms, and compare them with that of some low-lying farms of heavy clay. On the sheep farm there is hardly a single fence to keep up; there are, perhaps, only a dozen gates; there are no ditches, and, in fact, there is little or nothing to deduct to maintain the value of the land. We will say there are 1,000 acres on a large sheep farm, let at £1 an acre. Now, take the case of an estate of 1,000 acres, at the same rental, in a low-lying clay district, broken up into ten or a dozen farms, as is generally the case. What have you to maintain on that land as compared with the other? In the first place, you have bridges and culverts, drains, pipes, and water courses, ditches, banks, and fences; you have gates without end, rails, pales, and everything else that you can mention, multiplied in an enormous degree, on what we term naked land. The result is, that whereas 5 per cent would be too great deduction to make in the one case, in the other 5 per cent would not be nearly sufficient. To put the case of the two descriptions of land in a still stronger light, you find that on the large sheep farm all the buildings are comparatively new, all the houses and farm buildings upon it having been erected in the course of the present century—good substantial erections of brick and tile and slate. But if you go to the low-lying clay farm, you find that there is a multiplicity of buildings, which, as a rule, are four or five times as numerous as those on the sheep farm, and these are composed of clay lump and wattle and daub, and covered with thatch. Why, Sir, the expenditure in repairs to maintain these buildings, and keep them in a tenantable condition, and the cost also of insurance, is ten times more than is necessary in order to maintain the good and substantial buildings that exist on a sheep farm. Sir, it appears to me that in the Bill of the right hon. Gentleman there is a somewhat grave omission, for I find that on the gross value the owners will have to pay the property tax upon their land tax—that is to say, when you take the gross rental of a farm, that gross rental includes not only the repairs, and those other things that are deducted from the gross to form the rateable value, but you also include the land tax, the drainage rate, the quit rent, the fee-farm rent, and other deductions, as to matters which the landlord has to pay out of his pocket before he receives his rent. Now, by the Bill we cannot have more than these two columns—one for the gross rent and the other for the rateable value. The gross rental, according to the Bill of my right hon. Friend, is that on which is to be based all Imperial taxation. But if a man has £100 a-year rent, and £10 to pay for land tax, he would have to pay property tax on the £100. I maintain that he certainly ought to pay only upon £90, and if the House adopts the Bill of my right hon. Friend there must of necessity be some deductions from the gross value. Now, Sir, I do not wish in any way to oppose this Bill; I have made these criticisms on it in all good faith. I consider that the effect of the Bill will be to extract more rates and more taxes from the occupiers of houses and land. I cannot look upon it in any other light, and when my right hon. Friend backs up his opinion as to the value of his Bill by referring to the Metropolitan Valuation Act, I contend that that Metropolitan Valuation Act, although in many respects it may be a very good thing, has really had the effect of forcing all the property of the metropolis up to a very high, and in my opinion, an unfair value. I have heard several Gentlemen express their discontent upon this point. I am not very much acquainted with the owners of property in the City of London, but I believe they all say that they are assessed at a higher rate than they ought to be. And, Sir, when you come to analyze it, you will see that they have this great satisfaction—that every one else is assessed equally high. The Commissioners of Inland Revenue say in their Report on this Metropolitan Valuation Act—

> "It was soon found that many of these assessments could not be maintained, especially in those cases in which the value of houses had been raised from below the taxable limit of £20, and had just been brought under charge for the first time."

The House will see, therefore, that the Commissioners assert that "many of these assessments could not be maintained," and my right hon. Friend says that having inflicted this Act on the metropolis of England, he is now about to extend the great advantages it confers to the whole country. I find that the Metropolitan Valuation Act has produced this effect—that in the course of 10 years the assessment of the metropolis has been raised from £14,500,000 in 1865 to £21,000,000 in the year 1875. And not only is this the fact, but the assessment has, I believe, been raised a good deal more since 1875; for I am told that the rateable value of property in the metropolis at the present moment is £23,500,000. This is sufficient to show the extraordinary effect the Act has had on the property of the metropolis. I am sorry to have detained the House so long on this topic, but it is one of very great importance; but I should like to refer to one other point that has been advanced by my right hon. Friend. On the occasion of the first reading of the Bill, the right hon. Gentleman said the Government have now a right to interfere in the assessment of every parish in the country, in consequence of what they have lately done by the contributions they are making to the local rates. Now, I must take exception to this statement. I do not think my right hon. Friend has any right to say, that because Plymouth and Portsmouth and Chatham and this metropolis derive a certain amount of benefit from the contributions made towards their local rates by the Government, therefore we in the county of Norfolk, where the whole contribution of the Government is levied only upon an assessment of some £300, are to be put in the same category. I object to this interference with us when it is based on the ground that other localities have the advantage I have mentioned. By all means, I say, where the Government pay a certain proportion of the rates, let them be entitled to nominate, if they please, an *ex officio* member of the assessment committee; let them do anything they think requisite to protect their rights and interests; but do not let them assert that because certain localities enjoy the advantage derived from their contribution towards the local rates, they, therefore, have a right to put the whole kingdom under this blessed Surveyor of Taxes. But the right hon. Gentleman says that the Government also contribute to the maintenance of the police and lunatics; and, in reply to this, I say that it has nothing to do with the assessment. With regard to the police, one-half of the charge for maintenance and clothing is paid by the Government, and the Government also give a certain fixed contribution towards the maintenance of lunatics; but with neither of these cases can the assessment to the rates have anything whatever to do. There is just one other question as to which I should like to say a word or two, and that is the question of the appeals. Now, Sir, I must say that, in my opinion, the provision made for these appeals is the most unsatisfactory portion of the Bill. It first of all gives an appeal to the assessment committee, which I say is quite right and proper; but then, if any one is not satisfied with this, he is to appeal to the petty sessions. But who are they who compose the petty sessions? Why, they are in reality the assessment committee, with all the practical knowledge of the assessment committee left out. [*Laughter.*] Hon. Gentlemen may laugh, but I contend that that is what they are. In the country districts you have on the assessment committee all the leading magistrates of the petty sessional division. I will take it that there are three magistrates and six elected guardians who form the assessment committee. The result is, that you appeal from a good tribunal to one that is very much inferior to it. I do not know whether the House will remember it, but I recollect very well that on one occasion, during a debate on the Education Act, the hon and learned Attorney General made this statement—that no member of a school attendance committee, who happened to be a justice of the peace, and who, acting in the former capacity, had ordered the prosecution of a parent for the non-attendance of his child at school, could sit upon the bench before which the case was heard. Now what, I ask the House, would be the result of this disqualification, if this law was to be extended to the hearing of these appeals? Why, we should have no Court to appeal to at all; for, as a rule, the magistrates who are on the assessment committee are the most active and frequent attendants at petty sessions; and, consequently, I think we may really say that there would be no good in appealing to the petty sessions, even where there is a good case to appeal upon. And when we come to the quarter sessions, I consider that that tribunal, although not so bad as the petty sessions, is inferior to the assessment committee. As my hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell) was good enough last year (when I had placed upon the Notice Paper of the House a Motion for establishing a County Board), to put forward an Amendment to my Motion, by which he asserted that we ought to have a special County Board for the purpose of supervising these assessments, and as my right hon. Friend sweeps away the only county authority we have—namely, the committee which the quarter sessions might, and generally does appoint—I call upon the hon. and learned Gentleman when this Bill goes into Committee, to move that Amendment, in order that we may have the advantage of a good tribunal before which appeals can be heard. What was the tribunal that my hon. and learned Friend proposed? It was simply the tribunal which the right hon. Gentleman the First Lord of the Admiralty had introduced into his Valuation Bill, with the exception, that when the Bill went before the Committee which sat upstairs, and of which I had the honour to be a Member, instead of having a barrister of 10 years' standing it was thought better to refer questions of law to the County Court Judge, and I understood my hon. and learned Friend to say that that was in his Amendment. I think I can truly say that there is no Member of this House who has had more experience of quarter sessions than he has had. He has presided over that august body, and has also had the great advantage of advocating the claims that are put before it by learned counsel, and he consequently knows well, that instead of these appeals being always decided according to their real value, the result very often depends as much on the ability of counsel as upon the real merits of the claim. ["No, no!"] Hon. Gentlemen say "No, no;" but I ask who are they who compose this Court of Appeal? You have doubtless permanent members in the chairmen and vice-chairmen of quarter sessions, and they may be very good men; but as they are generally lawyers, I do not suppose that as a rule they are the best valuers of land. With regard to the other members of the Court, they may just happen to be those magistrates who stroll into the town on the day on which the quarter sessions are held, and there is no real permanency in the composition of the body. I consider that for the purpose of ascertaining the value of hereditaments there cannot be a worse tribunal. I have now nearly done; but I may add that I think my right hon. Friend will regard with considerable satisfaction a Resolution that was passed by the Central Chamber of Agriculture only on Tuesday last—a Resolution which expressed its approval of the main principle of the Bill we are now discussing—that main principle being that there should be established by this measure a common basis on which to levy local and Imperial taxation. I, for one, quite concur in the soundness of that principle; but I do say, let us try also to secure a fair basis on which the rates and taxes are to be levied. Let us be very certain that what we are doing is sound and right. I was very much struck, however, by the fact that although this resolution was passed by the Central Chamber of Agriculture, every gentleman who spoke upon it seemed, in the first place, to object to the means to be employed under the Bill for the purpose of obtaining this uniform basis, and they all expressed a firm opinion that the basis proposed by the measure will not give what is necessary to secure the main object in view. But, notwithstanding this, they after a division, passed the resolution. I entirely agree with them in giving a cordial assent to the main principle of the Bill. And, now, Sir, I will conclude. I have criticized this measure, it may be, with considerable vigour; but certainly I have done it honestly and in all good faith. In supporting, as I do, the second reading of the Bill, I, at the same time, leave myself at perfect liberty to move any series of Amendments I may in its progress through Committee feel myself called upon to propose.

MR. HIBBERT, while supporting the second reading of the Bill, drew attention to those provisions of it which, in his opinion, required amendment. As regarded quarter sessions, however, he did not agree with the hon. Gentleman (Mr. Read), for he fully believed that their decisions on the appeals brought before them would be both perfect and fair. But there was one objection to making quarter sessions the tribunal of appeal—namely, the expense which the appeal would involve, and it would have been much better if his right hon. Friend (Mr. Sclater-Booth) had retained the provision in the Bill of last year for keeping up the county committee to deal with these questions. Everything seemed to be taken out of the hands of the justices. It was proposed to take the prisons from them, now the reference to them of the county valuation was also taken from them. Surely the county rate committee might have been left, under the County Rate Act, to undertake the appeals from various Unions; or the President of the Local Government Board might have adopted the principle of the Metropolitan Act, by which two justices for Surrey, two for Middlesex, and two for the City of London, with the Recorder as Chairman, were empowered to act as an assessment committee. In every county throughout the Kingdom a body might have been formed from the chairmen of quarter sessions, and a selected body of magistrates; and then, when representative county boards were established, as he hoped they would be before long, all these functions might be transferred to them from the county justices. The object of the Bill was to obtain greater uniformity all over England; but while this object would be attained as regarded ratepayers and parishes, no uniformity would be established between Union and Union and between county and county. No doubt it would be said that the Surveyors of Taxes would bring all the Unions into uniformity, with the additional advantage of the Schedule of deductions contained in the Bill; but, in his opinion, these provisions would not secure the object aimed at. It would be desirable to establish some body in order to supervise and control the various Unions in the county, with a view of producing greater uniformity than existed at present. A great deal had been said about the centralizing tendency of the Bill. He did not think, however, that the measure had that centralizing character ascribed to it by the hon. Member for Halifax (Mr. Hutchinson). In order, however, to effect the desired uniformity there must be a central office. At the same time, he agreed with those who had already spoken, that it was very desirable to do everything possible to sustain that principle of local self-government which they all valued so much. It must be remembered, however, that there were two forms of local self-government—one which did everything for itself, carrying out the law fairly and properly, while another sought to avoid carrying out the law, and was in point of fact a system of local no government. This was the system they should aim to put an end to by Imperial legislation. He was sorry that the Bill made no adequate attempt to abolish the multiplicity of local officers, maintaining the overseers and other officers, instead of making the Union the unit of local government. There were 15,000 or more parishes. In some of these there was only one house. In 200 or 300 there were not more than 40 or 50 people. Yet in these cases the inhabitants had to elect an overseer, who must be sworn in before the justices, and would be obliged to make a valuation list under the Bill. If the Guardians had been made responsible for the assessment list a considerable sum might have been saved. He very much sympathized with the Amendment moved by his right hon. Friend the Member for the City of London (Mr. Hubbard), although he did not consider it was possible to carry it at once into operation. Great dissatisfaction existed in the manufacturing districts as to the manner in which the gross value of mills and other manufactories was estimated, nothing being allowed for depreciation, although it was well known that property of that description became depreciated more rapidly than any other. He trusted the Chancellor of the Exchequer would consider this matter, in order that if the property tax were to continue to be levied on the gross value some kind of equality should be established so as remove the injustice now complained of. He did not concur with the hon. Member for South Norfolk (Mr. Read) that the valuation should be based on the rental, for he knew many instances in which the rentals were much below the value of the land. But with respect to the great increase of the valuation in the metropolis, it was not all owing to the Act passed a few years ago. Much of it was due to the increase of property in the metropolis, which had been greater of late years than at any former period. In the county of Lancaster also the county rate committee had added some £3,000,000 to the valuation after five years. He trusted the Bill would be accepted as offering one mode of attaining greater uniformity, and that his right hon. Friend would make it better in its passage through Committee. He hoped it would not be found that the Bill would have the effect of making the Surveyor of Taxes our master, as too many people in the country seemed to think that it would. There was a good deal of exaggeration, he thought, with respect to the Surveyor. All that had to be aimed at was a fair and equitable valuation, and it was to be hoped that the part taken by the Surveyor would tend in that direction. He thought there was much more in the Amendment of the right hon. Member for the City of London than might at first sight appear; because if the Bill was to be made the basis of Imperial taxation the House ought to see that that taxation was made fair and equal on the three parts of the United Kingdom.

Mr. RODWELL, with reference to the remarks of the hon. Member for South Norfolk (Mr. Read), assured the House that it was his intention to again bring forward the the Amendment he placed on the Paper last Session, feeling, as he did, that there was stronger reason for it now than there had been before. He thought the whole of those appeal clauses ought to be struck out of the Bill, whether with regard to petty sessions or quarter sessions. He hoped magistrates would excuse him when he said that he did not think either was the best tribunal for deciding questions, not of law., but of assessment. The members of the assessment committee were far better fitted for the purpose. He happened to have been the chairman of an assessment committee of 42 parishes from the time of the passing of the Union Assessment Act, and he must say that the tribunal he intended to propose would be far cheaper, speedier, and more likely to give satisfaction to the ratepayers than that proposed in the Bill. If there was one thing connected with local self-government in which the special knowledge of the people of the locality, themselves the subject of taxation, ought to be employed it was with reference to the question of the taxes which they ought to pay; and he believed that a committee formed partly of magistrates, partly of Guardians, and partly of chairmen and members of assessment committees, *ex officio* or not, would do justice, and the ratepayers would never complain of their decision, because the persons deciding would be familiar with the particular matters brought before them. Having looked into the Scotch law, he believed there was a great deal of good in it, as now administered; and part of the Scotch system was rather similar to the tribunal which he himself proposed. The Commissioners of Supply, who corresponded to the assessment committee, were taken from the ratepayers of the county and district, the occupiers of land, and the factors; and he was told that the system had worked well. We wanted something that was speedy, simple, and inexpensive. He did not think that there was any very great necessity for disturbing the present system; but it was a great point to endeavour to secure as close an approximation as possible to the real value of property for the purpose of taxation, and this Bill would be useful in that respect.

Mr. GOSCHEN said, the general feeling of the House would be that this Bill was so important that the discussion had not been prolonged beyond what its importance demanded. He wished to make a few observations on the two subjects before the House, for the discussion on the Amendment of his right hon. Friend was really distinct from the discussion on the Bill itself. In the first instance, he would address himself to the Bill. The hon. Member for South Norfolk (Mr. Read) had criticized the Bill with considerable vigour, and objected to many of its details, though in the end he agreed with those who thought that the Bill would be a valuable measure. But what was the idea of the hon. Member for South Norfolk? Why, that every man should be his own valuer. The reason for the Surveyor of Taxes being brought in was because it was desirable to have the same basis for Imperial and for local taxation. If they wished to arrived at that great administrative improvement—namely, one valuation for all purposes, it followed that the Imperial Exchequer must be represented by such an officer as the Surveyor of Taxes. He considered that the presence of the Surveyor of Taxes was most important in this respect—that it was to secure equality amongst all the various Unions, and to prevent any taxpayers paying less than the rest of the taxpayers paid. The hon. Member for South Norfolk said when he saw a Bill supported by the two front benches he was sure its object was to promote centralization. But though the hon. Member for South Norfolk had made his speech from below the Gangway he had himself sat on the front bench. He was afraid, therefore, the hon. Member was tarred with the same brush, and if he sat now on the front bench he might have been a party to the introduction of this Bill, and even guilty of the sin of centralization. There was no Member of the House who had more attacked the principle of centralization than he (Mr. Goschen) had done. On that subject he agreed with the hon. Member for Halifax (Mr. Hutchinson), who had for the first time addressed them that evening, and spoken with so much ability. But was it true that this measure tended towards centralization? If there was that tendency, it was with a view to an important administrative improvement—to have one common basis of valuation established. He did not see how one basis of valuation could be obtained for Imperial taxation unless the Government were allowed a certain status in the matter. As regarded the machinery of the Bill, it was possible that the Local Government Board was called, on too many occasions, to interfere "in the prescribed manner." That phrase occurred in almost every clause of the Bill; and if that was a necessity it was partly due to the fact that they had not got those strong local bodies which the hon. Member for South Norfolk recommended. He wished to see a strong county organization, different from the justices, to deal with this question. No function was more proper for a county authority than to deal with a uniform system of rating within the county. The Metropolis Valuation Act had been referred to as the precedent for this Bill, and the hon. Member for South Norfolk said that Act had in 10 years raised the valuation of the metropolis from £14,000,000 to £23,000,000. But that Act was only passed in 1869, and therefore had not yet been in existence 10 years. Undoubtedly it had raised the valuation of the metropolis, but mainly in those parishes which were undervalued, and did not contribute in their proper and due proportion to the expenses of the common fund. In those unions in the metropolis where pauperism was most heavy, where expenditure was highest, the Act had given relief; whereas in other parishes where pauperism was light, where there was not the same financial pressure and the valuation was exceedingly low, it was certainly true that the valuation had been raised. In St. George's, Hanover Square, the rise of the valuation was very great, and the result had been to relieve the other Unions in the metropolis where the pressure had been most severe. The object of this Bill was to establish a uniform system all over the country and to make the payments among the Unions more equitable. The hon. Member for South Norfolk said he believed the Bill was intended to extract the greatest amount of money possible from the pockets of the ratepayers; but if all were rated alike, and if only a certain amount was required, he did not see how an increased sum would be extracted from the aggregate body of ratepayers. On the other hand, a uniform system of valuation would remove inequalities which bore very hardly on some. Having said so much with regard to the general object of the Bill, he would say a few words as to the machinery by which it was to be carried out. Liberal Governments had introduced Valuation Bills drawn very much like this Bill, therefore he did not wish to criticize the present Bill in any Party spirit. He wished rather to make some observations with reference to the general necessity for local reforms which might be applicable to the Bills brought in by both sides of the House. The discussion on this Bill had shown how impossible it was to raise a single question connected with local rating and local government reform without going beyond the particular measure before the House. What did the Government conceive to be the administrative unit in the present Bill? Was it the Union? [Mr. SCLATER-BOOTH: Yes, I think so.] He should be inclined to say it was the parish, as the assessment was made by the overseers for the parish, and any alteration in the valuation list was made not to affect the Union, but the parish. To whom did they entrust the making of alterations in the valuation under this Bill? Mainly and principally to overseers of the parish. There was a further provision in the Bill by which the overseers were to act in certain cases with the consent of whom? The vestry. We had, therefore, two parochial authorities maintained in full force in this Bill, which was an instalment of local government reform and was hoped to be a final measure. Was it not time that the overseers themselves should be dealt with? Nobody in the House would contend that they were satisfactory officers. He should like to hear whether the President of the Local Government Board would support that view. He ventured to say that if we were going to make overseers no one would dream of nominating, selecting, or appointing them by the present cumbrous process — that two justices would have nothing to do with the appointment of overseers who had to deal with the making of valuations, with the making of rates, and to whom were entrusted most important duties connected even with the franchise. He called attention to Clause 31 of the Bill, which stated that the valuation list was to be

> "Conclusive for the following purposes—for the purpose of any rate made during that year; for the purpose of the following taxes payable for the use of Her Majesty during the said year . . . for the purpose of determining as far as applicable during the said year the value of an hereditament, for the purpose of the qualification of a juror, councillor, guardian, manager, vestryman, auditor, or officer, or for the purpose of the Acts relating to the sale of intoxicating liquor."

And these important functions were to be entrusted, in the first instance, to the care of overseers appointed in an anomalous and unsatisfactory way. Would hon. Members defend the constitution of the vestry? He believed that few knew what was the proper form of proceedings at a vestry. There was only one institution more unsatisfactory than the vestry, and that was the overseers themselves. They would never complete their scheme of local government reform satisfactorily if they did not look as high as the county and as low as the parish, and see what improvement they could make with reference to both. As to the Motion of the right hon. Gentleman the Member for the City of London (Mr. Hubbard), he proposed thereby to reduce the amount of Imperial taxation from the gross value to the rateable value, by which he would give considerable relief to the payers of house tax and income tax. He was sorry the right hon. Gentleman had become an ally of the Local Taxation Committee and of those who, having secured considerable relief to ratepayers, had, at the same time, taken some steps which went in the direction of increasing the cost of local self-government. The Chancellor of the Exchequer had already sufficiently answered the right hon. Gentleman the Member for the City of London. He might, however, remark that what those who supported the right hon. Gentleman failed to see was that the justice which he proposed to do to one class might prove an injustice to other classes. The right hon. Gentleman having failed to secure allies last year in his broad proposition in favour of the re-construction of the income tax had this year with much wisdom limited his proposal in favour of those who came under Schedule A. But if the right hon. Gentleman were successful in relieving that class of taxpayers he would merely be throwing the burden upon others, and by relieving the owners and the occupiers of land he would be increasing the taxation of the consumers of commodities. The right hon. Gentleman had, with considerable skill, thrown out a bait to the Government by saying that he would not place any charge on this year, but the year after next; but he apprehended that this indulgence in the *paulo post futurum* system of finance would have but little weight. In addition to the £656,000 or more deficiency which would result from this proposal, there would be £300,000 in regard to the prisons, and this £1,000,000 would have to be met probably by fresh taxes on consumers of commodities. The case of his right hon. Friend must not rest on the ground that he was proposing to do an act of justice, because injustice must follow; but it must be founded on the assertion that there was a great administrative improvement to be carried out. He trusted the Bill would end in a satisfactory adjustment of certain portions of the great subject of local taxation and local government reform; but he feared that would not be the case unless hon. Members would bear in mind that they had also to reform and deal with the authorities to whom the execution of the Bill would be entrusted.

MR. SCLATER-BOOTH, in reply, said, he had no fault to find with the tone of the speech of the right hon. Gentleman opposite (Mr. Goschen), nor with his arguments; indeed, he had made some interesting observations upon this subject which were well worthy the attention of the House. The debate, however, had gone on for some time, and a number of hon. Members had spoken on the question, and therefore he felt it to be his duty to notice some of the remarks that had been made in the course of the discussion. He need not dwell at much length upon the Amendment of the right hon. Gentleman behind him (Mr. Hubbard), because it had been effectually dealt with by the Chancellor of the Exchequer and by the right hon. Gentleman opposite. He might, however, put to him the *argumentum ad hominem* whether he felt himself justified in moving a Resolution which must be fatal to a Bill upon which the right hon. Gentleman himself relied for effecting desired improvements in the system of valuation. The difficulty, however, did not end there, because if the right hon. Gentleman were successful in applying the principle of his Resolution to England, it would be impossible under it to provide the machinery for extending it to Scotland. And this brought him to the observations of the hon. Member opposite (Mr. Ramsay), who had expressed such a strong approval of the Scotch system. He had examined that system with much care, and he confessed that he had been much impressed by the good character which hon. Members had given of the working of the county system in that country. Whatever might be the merits of that system, however, it was entirely inapplicable to this country, the county area in Scotland being very different from that of England. One reason why it was good in Scotland was on account of its cheapness, and he was glad to find that it was working well. The Scotch had no objection to the intervention of the Surveyors of Taxes. It was very true that in Scotland the possibility of a Surveyor of Taxes exercising his functions was much easier, because there was in the Scotch Act a reference to the rent as a basis of valuation, and in Scotland the practice of long leases prevailed more extensively than in England. But perhaps the most insuperable objection to the adoption of the Scotch system in England was to be found in the fact that whereas in the whole counties of Scotland there were only about 360,000 separate assessments, there were in England as many as 5,500,000; and, that being the case, it would be obvious to hon. Members that it would be impossible to throw the work which required to be performed in connection with these assessments upon the officers of the public revenue department in England. He assured the hon. and gallant Member for West Sussex (Sir Walter Barttelot) that he had no intention of adopting a different tone from that of last year. The Union Assessment Act had worked very well throughout the country, though possibly it might require amendment. It had been asserted in the course of the debate that there was no power under the Bill to appoint an assessor to the valuers; but he thought the measure afforded ample liberty for such an appointment, though it was certainly the object of the Government that the expense which would be thereby necessitated should be avoided, if possible, by means of the other machinery which the Bill provided. The assessor was in Scotland, he believed in most cases, the Surveyor of Taxes. ["No, no!"] At least, many of them were. The hon. Member for Halifax (Mr. Hutchinson) had complained of the centralizing tendency of the Bill; but, for his own part, he was conscious of no such tendency in it. On the contrary, it left the functions of the office in the hands of the administrators of the union areas. The hon. Member (Mr. Knowles), who had spoken on behalf of the owners and the occupiers of mines, had referred to a subject which had frequently been brought under his notice both by letters and by deputation. The Bill was purely one of machinery, and he could not help thinking, therefore, that it would be dangerous to introduce in it any proposal the effect of which would be to make a cardinal alteration in the law of the land. If it was the fact that difficulties now existed in reference to the rating of mines, and that the removal of such difficulties would prove advantageous to the public, and particularly to the working classes, it would be best to bring proposals to that effect before the House in a separate Bill. It would be highly dangerous to introduce them into the present Bill, because their introduction might give rise to contentions which could endanger the passing of the measure, although, in fact, they had nothing to do with the main principle of the measure which he wished to see placed upon the Statute Book. The hon. Member for South Norfolk (Mr. Read) seemed inclined to attribute to the Surveyor of Taxes a much greater power than he possessed. The Surveyor of Taxes was a person who acted under the authority of the Inland Revenue Commissioners; he was also an executive officer of the Government, and any insolence or overbearing conduct in the discharge of his duties would soon find an echo in that House, and the Government would be held responsible. Again, the hon. Member for South Norfolk ought not to object to the appointment of Surveyors of Taxes, because the existence of such officers tended in the direction of what he seemed to desire—namely, a system under which the rent should be more and more regarded as a criterion of the value of land.

His hon. Friend opposite (Mr. Hibbert) had objected to the elimination from the present Bill of the committee of county magistrates which was provided for in the Bill of last year. That was a point which, perhaps, he had not sufficiently explained in his opening remarks. The committee of county magistrates was not to act as a court of appeal, but only to secure uniformity as between union and union, and he ought to have added that he hoped to secure the same object in this Bill by a scale of deductions. He thought to set up that committee would raise the presumption that they were to act in the double capacity of securing uniformity and as a court of appeal. His hon. and learned Friend behind him (Mr. Rodwell) was anxious about a special committee of magistrates and other persons to act as a court of appeal. He had no particular views as to one court of appeal in preference to another, but he had selected one which was handy, and one in which the ratepayers had confidence. The whole difficulty on that point was as to the possibility of giving to a representative body judicial functions; and he therefore came to the conclusion that it would not be desirable to turn the assessment committee into a court of justice. For his own part, he had no wish to retain the appeal to the petty sessions, except as a means of convenience for the small ratepayers. He would be willing to discuss the question in Committee; but he would recommend his hon. Friend to consider this point in framing his clause. The right hon. Gentleman opposite (Mr. Goschen) complained in no carping spirit, but in one of reasonable criticism, that the Bill did not deal fully enough with the question, and especially he complained of the absurdity of leaving so much power in the hands of the overseers. He had no desire to stand up for the overseers; but there would be just as much difficulty in getting rid of parishes and parish boundaries as there would be of getting rid of the county boundaries.

MR. GOSCHEN: I did not mean to abolish the parishes, but that their boundaries should be reformed.

MR. SCLATER-BOOTH said, the right hon. Gentleman had intimated that the small parishes should be disestablished. The Committee which sat in 1873 made a recommendation to that effect, and in a Bill which he laid on the Table three years ago he proposed to take power to extinguish small parishes; but he found that he should have great difficulty in passing that portion of the Bill, and in the Bill of last year he left out that provision. In regard to the overseers, it should be remembered that in all important places their work was done by a paid officer—the assistant overseer—who, if he could not exactly be called a skilled man, was one who had a great deal of special knowledge. The overseer was one of the unpaid servants of the country. The system of unpaid service for certain local duties had been the rule for many centuries, and he should be sorry to propose to extinguish the obligation to serve as overseer, churchwarden, or juryman. It was a useful liability, which he should not like to see extinguished without very much stronger reason than he had yet heard. As to the question of whether the consent of the vestry was not more frequently required in the Bill than it ought to be, he should be happy to consider any suggestions on that point in Committee. It was obvious that the Bill as it went forward would receive a good deal of attention, and that it must necessarily occupy a good deal of time; and as hon. Gentlemen had intimated their desire that the debate should not be continued to an inordinate length, he hoped the right hon. Gentleman (Mr. Hubbard) would not press his Motion to a division. He trusted it would no longer be regarded by hon. Gentlemen opposite as one of a Party character.

MR. GOLDNEY agreed with a good deal which had been stated by the right hon. Gentleman opposite (Mr. Goschen), and he could not see the advantage of retaining the overseers. Practically the work was done by the assessment committee as representing the union. If the duty were imposed on the assessment committee in the first instance it would be a satisfactory, simple, and easy manner of settling the matter, and there would be few appeals. With the view of testing the feeling of the House on the subject he should lay on the Table certain Amendments to that end.

MR. STORER moved the adjournment of the debate, in order to give the country gentlemen more time for its consideration.

MR. PARNELL seconded the Motion, on the ground that he had not had time to study the details of the Bill. He would recommend the Government to stick to one Bill, and to get it through before commencing another. At the opening of the Session they introduced about 17 Bills, more than five of which they had pressed to a second reading. The consequence was that hon. Members could not possibly make themselves acquainted with the details of all these measures at the same time, and there was much difficulty in procuring a copy of a Bill. If the real object of the Government in this Bill was to secure uniformity, they would fail; because there were so many different local authorities entrusted with the valuations—the assessment committee, the overseers, the surveyor of taxes, the clerk of the peace, the special and the quarter sessions. In Ireland the system was that of commissioners of valuation, but the valuations were not at all uniform, being in some districts 30 per cent below the rateable value. The present Government seemed to him likely to be in office for 15 years, and, if they should be, they would by that time have done a great deal of mischief to the country.

Mr. J. R. YORKE rose to Order, and asked whether the hon. Member was speaking to the Question of adjournment?

Mr. PARNELL said, he did not intend to speak upon the subject of the Prisons Bill, but so long as he was an Irish Member, obliged to come to Parliament, sitting at Westminster, he would endeavour to take part in the discussions on all questions which might affect his country. The present Bill was of too important a nature to be disposed of in one night's discussion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Storer.*)

The CHANCELLOR of the EXCHEQUER said, that no one would deny the perfect right of Irish Members to discuss the measure, because, although it was confined to England, yet legislation of this kind was of an Imperial character, and he was glad to see the Members for Irish constituencies taking an interest in measures of this character. At the same time, he hoped the House would bear in mind the progress of Public Business. The hour was not so late that the discussion need now be closed; and although he should prefer that the Bill should be now read a second time and the details reserved for discussion in Committee, yet if hon. Members thought the measure had not been sufficiently discussed, he trusted the debate would go on, and that the Bill would be read a second time that night. He hoped the hon. Member for Nottinghamshire (Mr. Storer) would not press his Motion for the adjournment of the debate.

Motion, by leave, *withdrawn.*

Mr. J. G. HUBBARD said, that at the suggestion of the Chancellor of the Exchequer, he would withdraw his Amendment and move it again on the 31st clause.

Mr. BIGGAR said, he hoped the right hon. Gentleman would not withdraw his Motion. It was a matter for great complaint that the income tax should be levied upon a higher assessment than the assessment for the local rates. He thought that the proper thing to do would be to have official and independent valuators for the whole of the country, with a right of appeal against their valuation. In England the principle of allowing valuations to be made by overseers and other local authorities was very unsound, and the result was that there was no uniformity whatever.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 214; Noes 27: Majority 187.—(Div. List, No. 29.)

Main Question proposed.

Captain NOLAN said, the last division was so very peculiar that he wished to say a few words upon it. The right hon. Member for the City of London (Mr. Hubbard) had told him (Captain Nolan) among others, at a quarter past 7 o'clock that evening that he would certainly divide. He might possibly have been right, at the request of the Government, in withdrawing his Amendment. On that he would express no opinion; but he had caused several hon. Members to alter their arrangements for the night, and it was not right that the right hon. Gentleman should walk out of the House when the division was called.

Mr. SPEAKER: I must inform the hon. and gallant Member that the Amendment of the right hon. Member for the City of London is no longer before the House. The Question is

"That this Bill be now read a second time." Does the hon. Member propose to speak to that Question?

Captain NOLAN: No, Sir.

Mr. MUNTZ: I beg to say that it was not at the request of the Government that the right hon. Member (Mr. Hubbard) withdrew his Motion. It was at my request.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

JUSTICES CLERKS' (*re-committed*) BILL.

(*Sir Henry Selwin-Ibbetson, Mr. Assheton Cross.*)

COMMITTEE. [BILL 5.]

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

Clause 2 (Payment of clerks of petty sessions, &c. by salary under 14 & 15 Vict. c. 55, s. 9 made compulsory).

Mr. FRESHFIELD said, the clause provided that the Secretary of State might, with or without the consent of the local authority, order that the payment of a clerk might be by salary in lieu of fees, and might also fix the amount of the salary. That provision might operate very hardly on some of those existing officers, who, in the majority of cases, received very small payments; and, therefore, he proposed to qualify it by moving in page 2, line 22, after "business," to insert—

> "But such salary, in the case of a clerk appointed before the passing of this Act, shall not be less than the average amount of the fees received by such clerk during the three years preceding the first day of January, one thousand eight hundred and seventy-seven."

Sir HENRY SELWIN-IBBETSON thought the hard-and-fast line which the Amendment would draw would be exceedingly prejudicial. In many cases the services of a perfectly efficient clerk at an adequate salary could be obtained for a less sum than an average of the fees received within the last three years. The effect of the Amendment would be to give fabulous salaries in some cases. At Liverpool he believed the average would amount to £6,000 or £7,000 a-year. Holding, as he did, the opinion that the justices ought to be allowed to make their contract with the man who was to serve them, he would ask the Committee not to accept the Amendment.

Mr. GRANTHAM said, he had an Amendment on the same clause, which he thought would obviate the difficulty.

Mr. FRESHFIELD said, the Amendment of his hon. and learned Friend was so kindred to his own that he would, with the consent of the Committee, withdraw his.

Amendment, by leave, *withdrawn.*

Mr. GRANTHAM then proposed the following Amendment:—

> "No clerk of special or petty sessions, or clerk of justices of the peace within the jurisdiction of any local authority, and holding such office at the date of the passing of this Act, shall in any case receive a less salary than the average annual amount of fees earned by him or by his predecessors in such office in respect of the services and business performed and transacted by such clerk during the three years ending the thirty-first day of December, one thousand eight hundred and seventy-six, except in those cases in which a Secretary of State certifies to any local authority that a less salary may be given.'

He admitted there were a few cases in which the fees received would amount to an excessive salary, but they were very exceptional, and the proviso he had inserted would enable the Home Secretary to deal with such cases. It was most desirable that solicitors of good local position should be obtained as clerks, and, unless they were fairly paid, a very inferior set of men would fill those posts.

Mr. J. GOLDSMID moved to amend the proposed Amendment by omitting from it the concluding words, which he thought highly objectionable. How could the Secretary of State know what should be the amount of a clerk's salary? It was carrying the principle of centralization much too far, and he thought the three years' average was a very good rule, which they might safely lay down for the regulation of these salaries.

Mr. KNOWLES thought the Amendment should be rejected altogether, and he should certainly vote against it. The clerks' fees were very heavy, and they fell with great force on humble people. It was only poor people who were brought up before magistrates and fined small sums, such as 5*s.*, and the fees often swelled the fine up to three or four times the amount.

Lord ESLINGTON said, it was not too much to ask that the clerks should be paid according to the average of the three years' fees. No hon. Member could have served as a magistrate without recognizing to the fullest extent the inestimable advantages of an able clerk. He supported the original Amendment.

Sir HARCOURT JOHNSTONE said, that the Amendment should read that the Secretary of State's certificate should be given, not "to the local authority," but "on the application of the local authority," and he should move an Amendment of the Amendment for that purpose.

Mr. PAGET supported the principle of the average of the previous three years' fees, which, he said, had worked well in his own county. He repudiated the idea that the clerks had any vested rights.

Mr. J. GOLDSMID said, that the Amendment of the hon. Baronet the Member for Scarborough (Sir Harcourt Johnstone) so completely answered his intention that he was ready to withdraw his Amendment in favour of that of the hon. Baronet.

Amendment, by leave, *withdrawn.*

Sir HARCOURT JOHNSTONE moved the substitution in the proposed Amendment, "on the application of the local authority," instead of "to the local authority."

Sir HENRY SELWIN-IBBETSON believed the three years' average system had been generally adopted as the fairest method of getting at the salaries that should be paid to clerks. He thought the most reasonable thing to do would be to allow the present provision of the law to remain in force. The clerk was at present absolutely liable to dismissal by the bench of magistrates, and he thought Parliament ought not to say that they must not fix the salary. The magistrates were forced to procure the services of a competent man for their own protection. He denied that the Bill set up a centralizing system in the Home Office.

Mr. COURTNEY was not disposed to uphold unduly vested interests; but at the same time would like to secure to a man that which he had been accustomed to receive. If the salary of a clerk were made dependent on the caprice of the magistrates, a most undesirable element of uncertainty would be introduced; and feeling that there would be no possibility of serious error if the matter were left to the Home Secretary and the justices, he should support the original Amendment.

Mr. GRANTHAM said, that there was no real difference between the phraseology suggested by the hon. Baronet and the language adopted in his Amendment, but he would accept the alteration.

Motion *agreed to;* Amendment *amended* accordingly.

Mr. W. STANHOPE thought it would be advisable to adopt the three years' system.

Mr. WHALLEY said, this was an attempt to push the question of vested interests further than it had ever been carried by the House, and he hoped the Government would adhere to the clause as it stood in the Bill.

Mr. DODSON thought it would be better to leave it to the discretion of the magistrates to make the best bargain they could for securing efficient clerks. He hoped that the hon. and learned Member for East Surrey would withdraw his Amendment.

Mr. GRANTHAM refused to withdraw his Amendment.

Question put,

"That the words 'No clerk of special or petty sessions, or clerk of justices of the peace within the jurisdiction of any local authority, and holding such office at the date of the passing of this Act, shall in any case receive a less salary than the average annual amount of fees earned by him or his predecessors in such office in respect of the services and business performed and transacted by such clerk during the three years ending the thirty-first day of December, one thousand eight hundred and seventy-six, except in those cases in which a Secretary of State certifies, on the application of any local authority, that a less salary may be given,' be there added."

The Committee *divided:*—Ayes 86; Noes 150: Majority 64.—(Div. List, No. 30.)

Clause *agreed to.*

Clause 3 *agreed to.*

Clause 4 (Appointment of one salaried clerk only in a petty sessional division).

Mr. GRANTHAM moved, in page 3, line 10, after "and," insert as separate sub-section—

"Where a justices clerk or solicitor applying for the appointment of clerk carries on his business in partnership, such partners or two or more of them may be jointly appointed clerk to justices, and in such case the salary of such clerk shall be payable to such partners jointly."

Amendment *agreed to.*

SIR HENRY SELWIN-IBBETSON moved, in page 3, line 10, after "and," insert as separate sub-section—

"Where a Secretary of State has fixed the amount of the salary for one salaried clerk in a division, and there are, at the passing of this Act, two clerks, each of whom perform the duties of clerk of petty sessions and clerk of special sessions in that division, the local authority may, if they think fit, continue such existing clerks in office, and apportion the salary between those clerks in such manner as they think just; and."

Amendment *agreed to.*

MR. GRANTHAM moved, in page 3, line 18, at end of Clause, add—

"But such justices shall one month before dismissing such clerk send their reasons for such dismissal to the Secretary of State for the Home Department.

SIR HENRY SELWIN-IBBETSON opposed the Amendment. It would be carrying the system of centralization too far to say that a bench of magistrates could not have the power of discharging their clerk without sending their reasons to the Home Secretary.

MR. WHITWELL thought that as the justices had the power of appointing the clerks they ought to have the power of dismissing them.

MR. BULWER said, that the clerk would be more valuable if he were not dependent upon the justices.

SIR HENRY JACKSON pointed out that there really was no appeal to the Home Secretary given by these words.

MR. COURTNEY thought they would do no harm and no good.

Amendment *negatived.*

MR. MACDONALD moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Macdonald.*)

SIR HENRY SELWIN-IBBETSON hoped the Motion would not be pressed, but that the Committee would consent to pass the 4th clause and then resume.

Question put.

MR. BIGGAR objected to the withdrawal of the Motion.

The Committee *divided:* — Ayes 8; Noes 192: Majority 184.—(Div. List, No. 31.)

MR. GRANTHAM moved, in page 3, line 28, at end of Clause, to add—

"Every clerk of a petty sessional division and every clerk of the justices of a borough may, with the approval of justices for the petty sessional division or borough, as the case may be, in petty sessions, appoint some competent person as his deputy to act for him during illness or unavoidable absence; and any such deputy shall have all the powers and perform all the duties of such clerk during such illness or absence as aforesaid."

MR. PARNELL said, the House had been hardly worked all night, and he should therefore propose that the Chairman report Progress. He hoped the Government would not put the Committee to the trouble of dividing.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again. — (*Mr. Parnell.*)

THE CHANCELLOR OF THE EXCHEQUER said, he hoped the hon. Member would not press the Motion. The Government did not intend to go further than the clause they were then engaged upon that night. The only Amendments proposed were agreed to, and therefore it would take less time to finish the clause than to go through the Division lobbies.

MR. PARNELL said that on the assurance of the right hon. Gentleman he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Amendment (*Mr. Grantham*) *agreed to.*

Clause, as amended, *agreed to.*

Committee report Progress; to sit again *To-morrow.*

BEER LICENCES (IRELAND) BILL.

(*Mr. Meldon, Mr. Charles Lewis, Mr. Whitworth.*)

[BILL 101.] CONSIDERATION.

Order for Consideration, as amended, read.

Order for further Consideration of Bill, as amended, read.

Motion made, and Question proposed, "That the Bill be now further considered."

Mr. MACDONALD moved the Adjournment of the Debate. He objected to the Bill being proceeded with at so late an hour.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Macdonald.*)

Mr. MELDON was altogether in the hands of the House. There had been no opposition to the measure, and he hoped it would be allowed to proceed.

Mr. ANDERSON said, that if the views of the hon. Member for Stafford (Mr. Macdonald) were to prevail, private Members might as well give up attempting to pass any Bill.

Mr. PARNELL did not see any force in the argument of the hon. Member for Glasgow (Mr. Anderson). It was not a question of whether any Bill would pass, but whether a measure of this kind should be discussed at this late hour.

Sir JAMES HOGG quite agreed with the hon. Member for Glasgow (Mr. Anderson). There were many hon. Gentlemen who had crotchets of their own, and if they were not allowed to proceed after half-past 12 o'clock they would have no opportunity of bringing them before the House.

Mr. O'SHAUGHNESSY pointed out that why hon. Members wished Government to leave off their Business at half-past 12 was in order to give private Members a chance of bringing on their Bills.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Bill *further considered.*

Clause 1 (Short title "Beer Licences Regulation (Ireland) Act, 1877").

Mr. BIGGAR withdrew his Amendment to leave out the word "Ireland."

Sir MICHAEL HICKS-BEACH moved, in page 1, line 6, after "1877," to insert—

"This Act, and 'The Beerhouses (Ireland) Act, 1864,' and 'The Beerhouses (Ireland) Act, 1864, Amendment Act, 1871,' shall, so far as is consistent with the respective tenors of such Acts, be construed together as one Act, and may be cited together as 'The Beerhouses (Ireland) Acts, 1864-1877.'"

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 (No licences, transfers, or renewals for the sale of beer, &c., for consumption elsewhere than on premises to be granted in respect of premises rated at less than £10, nor in cities, &c., with a population exceeding 10,000, unless premises are rated at £20.)

Mr. PARNELL objected that the qualification was much higher than that required in England, and he moved, in page 1, line 15, to leave out "ten," and insert "eight."

Amendment *agreed to.*

Mr. PARNELL moved, in page 1, line 20, to leave out "twenty," and insert "fifteen."

Amendment *agreed to.*

Sir MICHAEL HICKS-BEACH moved, in page 1, line 20, after "upwards," to insert—

"Nor unless upon the production of a certificate that such rated premises, wherever situate, have been in the exclusive occupation of such person for a period of three months at the least immediately preceding the date of such certificate. Every such certificate as is mentioned in this section shall be signed by two or more justices of the peace presiding at the petty sessions of the district in which such person resides, or, if in the Dublin Metropolitan Police district, by a divisional justice of the district in which such person resides. All applications for such certificates shall be made in the manner, and subject to the like conditions, as to appeal or otherwise (so far as the same are applicable) as as prescribed by 'The Beerhouses (Ireland) Act, 1864,' in relation to applications for certificates under the said Act, as the same are amended by 'The Licensing (Ireland) Act, 1874."

Motion *agreed to.*

Amendment proposed,

In page 1, line 20, at end of Clause 2, to add the words "Provided always, That the provisions of this section shall not apply to any person dealing in or selling tea, cocoa nuts, chocolate, or pepper, and having an Excise licence to sell spirits by retail in any quantity not exceeding two quarts at one time to be consumed elsewhere than on the premises where sold."—(*Mr. Meldon.*)

Question, "That those words be there added," put, and *negatived.*

Bill to be read the third time *To-morrow.*

METROPOLITAN FIRE BRIGADE.

Select Committee *appointed,* "to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade, and into the most efficient means of providing further security from loss of life and property by fire in the Metropolis:"—That the Committee do consist of Twenty-one Members:—Sir Henry Selwin-Ibbetson, Mr. Stevenson, Mr. M'Lagan, Mr. Clifton, Mr. Kinnaird, Sir Henry Peek, Sir Andrew Lusk, Lord Lindsay, Mr. Herbert, Marquess of Tavistock, Mr. Onslow, Mr. Hayter, Mr. Forsyth, Mr. Hankey, Sir William Fraser, Mr. Young, Mr. Locke, Mr. John Stewart Hardy, Sir James Hogg, Mr. Ritchie, and Mr. Hardcastle:—Power to send for persons, papers, and records; Five to be the quorum.

Ordered, That the Evidence taken before the Committee on the Metropolitan Fire Brigade, in Session 1876, be referred to the Committee.—(*Sir Henry Selwin-Ibbetson.*)

Ordered, That it be an Instruction to the Select Committee on the Metropolitan Fire Brigade that they have power to take evidence and report with special reference to better means of preventing loss of life and property from fire in theatres and other places of public amusement.—(*Mr. Onslow.*)

LAW OF EVIDENCE AMENDMENT BILL.

On Motion of Mr. Morgan Lloyd, Bill for the amendment of the Law of Evidence in certain cases of misdemeanor, *ordered* to be brought in by Mr. Morgan Lloyd and Mr. Herschell.

Bill *presented,* and read the first time. [Bill 112.]

PUBLIC PARKS (SCOTLAND) BILL.

On Motion of Mr. Fortescue Harrison, Bill to enable local authorities to acquire land for public parks, *ordered* to be brought in by Mr. Fortescue Harrison, Sir Windham Anstruther, Sir George Balfour, Dr. Cameron, and Mr. William Holms.

Bill *presented,* and read the first time. [Bill 111.]

House adjourned at half after
One o'clock.

HOUSE OF LORDS,

Friday, 9*th March,* 1877.

MINUTES.]—Public Bills—*Second Reading*—Publicans Certificates (Scotland) (14).
Second Reading — Committee negatived — Third Reading — Consolidated Fund (£350,000),* and *passed.*

CONSOLIDATED FUND (£350,000) BILL.

Read 2^a (according to order); Committee *negatived;* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with;* Bill read 3^a, and *passed.*

PUBLICANS' CERTIFICATES (SCOTLAND) BILL.—(No. 14.)

(*The Earl Stanhope.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Earl STANHOPE, in moving that the Bill be now read the second time, said, that it was a Bill to amend the Publicans' Certificates (Scotland) Act of 1876. It might be in their Lordships' recollection that last year an Act was passed for the purpose of assimilating the law with regard to the granting of licences in Scotland to that of England. During the progress of the Bill through the House, amongst the Amendments adopted on the occasion was one relating to the time the licensing committee should be chosen. It was enacted last year that the first meeting for choosing the licensing committee should be held in August, and subsequently in April; but that would cause some inconvenience, because the statutory quarter sessions of Scotland were held on the first Tuesday in March; therefore the present Bill was to substitute the month of March for the month of April in the former Act. The 2nd clause provided that the Act of last Session should not come into operation before March, 1878.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House.

House adjourned at a quarter past Five
o'clock, till Monday next
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 9*th March* 1877.

MINUTES.] — Public Bills — *Committee — Report*—Treasury and Exchequer Bills* [88].
Third Reading—Open Spaces (Metropolis)* [62]; Beer Licences (Ireland)* [101], and *passed.*

CONSTABULARY (IRELAND)—PENSIONS.—QUESTION.

Mr. MELDON asked Mr. Chancellor of the Exchequer, Whether, in pursuance of the promise made by him last Session, the opinion of the Law Officers of the Crown has been taken with respect to the claims of the Pensioners of the Royal Irish Constabulary for a re-adjustment of their pensions; and, whether there is any objection to lay a Copy of the Case submitted to the Law Officers, with their opinion thereon, upon the Table of the House?

The CHANCELLOR of the EXCHEQUER: Sir, in accordance with the promise I gave last Session I took the opinion of the Law Officers of the Crown on these questions. It is contrary to the usual practice to lay the opinion of the Law Officers on the Table, as such a course would destroy their value as independent, confidential advice. But, as the matter is one which affects a very respectable body of men, I have no objection to state the substance of the opinion given with respect to the claims of the pensioners of the Royal Irish constabulary for a re-adjustment of their Pensions. There were three questions put. One was, whether the language of the Act of 1866 was such as to have afforded a legal justification to the Government, if they had thought fit, to add to the retiring members of the Force before 1866 a pension, according to the scale of superannuation laid down in 1867. We are satisfied it would have been legal, if the Government had been pleased, to have granted pensions at that rate; but we also were satisfied that the Act did not render it obligatory. And inasmuch as one of the clauses of the Act contained the Preamble, which stated it was not the intention of the framers of the Act, the Government think they were right in not granting them. There was then the Act of 1874, which we considered gave no new claims to the men who had retired from the Service.

EGYPT—SLAVE TRADE IN THE RED SEA.—QUESTIONS.

Mr. HANBURY (for Sir H. Drummond Wolff) asked the Under Secretary of State for Foreign Affairs, Whether any attempt has been made since July 24, 1876, to conclude an arrangement with the Governments of Turkey and Egypt for the suppression of the Slave Trade in the Red Sea; and, whether, as then promised, any step has been taken for the establishment of Consular Agencies in the Red Sea in conjunction with such arrangement?

Mr. BOURKE: Sir, in reply to the hon. Member for Tamworth, I have to state that a draft Treaty for the suppression of the Slave Trade in the Red Sea and on the Egyptian Coast of the Red Sea has been sent to our Consular Agent at Egypt, and we hope for the early conclusion of that Treaty. With regard to the Consular Agencies on the Red Sea, my hon. Friend will see that the establishment of these Consular Agencies greatly depends upon the negotiations now in progress under the Treaty to which I have alluded, but I can assure my hon. Friend the question has not been lost sight of by Her Majesty's Government, and I may mention that on the recommendation of Colonel Gordon and of our Consul General in Egypt a Consular Agent has been appointed at Khartoum.

Mr. HANBURY (for Sir H. Drummond Wolff) asked the First Lord of the Admiralty, Whether, in compliance with the instructions stated by him, on the 24th of July 1876, to have been given at the commencement of that year, any of Her Majesty's ships of war have called at the Red Sea ports, and whether any Reports have been received respecting the Slave Trade in the Red Sea; and, if so, whether such Reports can be laid upon the Table?

Mr. HUNT: Yes, Sir. Two ships have called at the ports in the Red Sea, the *Dwarf* and the *Fawn*. I believe that the Report from the *Fawn* has been already promised to the House, and the Report from the *Dwarf* I understand there will be no objection to lay on the Table. The Foreign Office will lay Reports upon the Slave Trade on the Table of the House, and these will be included in those Papers.

MERCHANT SHIPPING ACTS—UNSEAWORTHY SHIPS—THE "GLENAFTON." QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to a paragraph in the "Daily Telegraph" of the 6th, where it is stated that six men have been sent to Bodmin Gaol for several weeks with hard labour for refusing to go to sea in the "Glenafton," they had come from Glasgow in; if he has taken any steps to have the case investigated with the view of seeing if the allegations of the men were true that they had endured great hardships on their voyage from Glasgow to Falmouth, such as not having their clothes off, and their being employed constantly at the pumps; and, considering now that the vessel is detained for the necessary repairs ordered by the surveyors, will he, under the circumstances, order their release and compensation for their committal?

SIR CHARLES ADDERLEY: So far, Sir, as the action of the justices is concerned, my right hon. Friend the Home Secretary has sent for information, but it has not yet arrived; but I can state with regard to the ship, that the principal surveyor of the district has reported to the Board of Trade that there was nothing in the condition of the ship that authorized him to detain her. There was only defective caulking, owing to the severe weather, but it was easily to be remedied. There was no such thing as a leak, and there was no reason for detaining the ship. The Act of 1871 enables seamen charged with desertion to plead the unseaworthiness of the ship. I presume that the justices in this case considered the allegation groundless, otherwise they would have sent for the Board of Trade Surveyor, which they did not do. The Act of 1873 renders the owner and master of the ship liable for compensation from the date that the ship is detained, if she is afterwards proved to be unseaworthy.

LOANS TO URBAN AND RURAL SANITARY AUTHORITIES.—QUESTION.

MR. WHITBREAD asked the President of the Local Government Board, What is the amount of the loans for which the sanitary authorities have asked the sanction of the Local Government Board since the date of the last Return presented to Parliament, distinguishing the amount required by the urban authorities and the amount required by rural sanitary authorities?

MR. SCLATER-BOOTH, in reply, said, that the last published Returns, for 1875, showed that the sanction of the Local Government Board had been given to loans amounting to £1,835,797 to urban sanitary authorities. During the year 1876, although the accounts for that period were not yet completed, sanction had been given to urban sanitary authorities for the borrowing of £2,506,459, showing an increase of £670,662. In the case of the rural sanitary authorities, the amount by the last Return was £137,808, and sanction was given during 1876 to £200,692, showing an increase of £62,884.

MR. WHITBREAD asked, if the right hon. Gentleman would inform him what had been asked for, and not what had been sanctioned?

MR. SCLATER-BOOTH, said, that would take some time to ascertain, but he would endeavour to obtain the information.

MUSEUM OF NATURAL HISTORY (SOUTH KENSINGTON).—QUESTION.

LORD ARTHUR RUSSELL asked the First Commissioner of Works, When he expects the new Museum of Natural History at South Kensington to be ready for the reception of the whole or any part of the collections now in the British Museum?

MR. GERARD NOEL, in reply, said, that the new building of the Museum of Natural History at South Kensington would, if no unforeseen circumstance occurred, be completed in the early part of next year, and it was hoped that by the autumn of next year the Museum would be ready for the reception of the collections referred to by the hon. Member.

CRIMINAL LAW—THE QUEEN v. CASTRO.—QUESTION.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to the Tichborne case and his previous statement, that he has not submitted for the opinion of the judges by whom that trial was conducted any of the correspondence or documents received by him in support of further inquiry or the immediate release of the convict; and, Whether he will be good enough to inform the House of the reason for departing in this case from the usual practice of consulting judges on such matters?

Mr. ASSHETON CROSS, in reply, said, he found it was nearly a year ago since the same question was asked him by the hon. Member. His (Mr. Cross's) answer, then, was—

> "That it was by no means an uncommon practice for prisoners not to present witnesses at their trial, where they might be subjected to severe cross-examination, and afterwards deluging the Secretary of State with the so-called affidavits and statements made by those persons."—[3 *Hansard*, ccxxviii. 73.]

The witnesses mentioned a year ago by the hon. Member might have been called at the trial, and the fact that they were not called was the subject of severe comment on the part of the Lord Chief Justice. These so-called affidavits were not affidavits in any judicial proceeding then pending, nor statutory declarations, and he, therefore, did not think it proper to trouble the learned Judges who tried the case with them, nor was it the intention of the Government to take any proceedings with regard to them. He had nothing further to add to that statement.

Afterwards,

Mr. WHALLEY: Having already given Notice to call the attention of the House to this subject, I beg leave to ask the right hon. Gentleman, Whether, as I have already made several efforts to bring the subject forward, he will use his influence to prevent a count out?

Mr. ASSHETON CROSS: All I can say is that in reference to any Motion in which I am in any way concerned, I certainly shall be in my place.

TURKEY—LOANS OF 1854 AND 1855—EXPLANATION.—QUESTION.

Mr. J. R. YORKE: I wish to ask the Chancellor of the Exchequer a Question of which I have given him Private Notice. There appears to be some misconception outside the House as to the answer which the right hon. Gentleman gave last night with respect to the 1854 and 1855 Turkish Loans, which was to the effect that there was no provision for the payment of the Egyptian Tribute or any part of it direct to the Bank of England. I wish to ask, Whether he means that there is no special provision to that effect in the Treaty of 1855; or whether there is no distinct understanding that the Egyptian Tribute should go direct to the Bank of England; and, whether the Treaty of 1855 does not state that the portion of it left after paying the Turkish Loan of 1854 shall be applied to the Loan of 1855?

The CHANCELLOR of the EXCHEQUER: I am very sorry that there should have been any misunderstanding of my answer yesterday, but I was bound in my answer by the Question put to me. Now, the hon. Member asked me yesterday a Question in which he made or embodied this assertion—that the security for the Loan of 1854 was the assignment of the Egyptian Tribute, which under the Tripartite Treaty came direct from Egypt to the Bank of England. I was obliged to tell him that that was not the case. I was speaking of the Loan of 1854, and of the Treaty of 1855 as bearing upon it. I believe there is an arrangement between the bondholders and the Turkish Government, under which the Tribute is to be sent to the Bank of England; but that was not in the Tripartite Treaty. The article in the Tripartite Treaty—it is the 3rd—is this—

> "That the interest and sinking fund of the loan"

that is the Guaranted Loan of 1855—

> "shall form a charge on the whole revenues of the Ottoman Empire, and specially on the annual amount of the tribute of Egypt which remains over and above the part thereof appropriated to the first loan, and moreover on the customs of Smyrna and Syria. His Imperial Majesty the Sultan engages that he will cause to be remitted to the Bank of England, on or before the 25th of June and the 25th of December in each year the full amount of one-half year's interest and sinking fund on the whole amount of the said loan to be raised under the conjoint guarantee of Her Britannic Majesty and of His Majesty the Emperor of the French, or on so much thereof as may be raised, until the whole capital borrowed shall be repaid."

As I mentioned yesterday, the Governments of England and France have made a joint representation to the Government of the Porte on the subject of the Tribute Loans generally. With regard to the Loan of 1855, that is the provision which is in force.

PUBLIC HEALTH—THE SMALLPOX HOSPITAL AT LIMEHOUSE.

QUESTION.

MR. RITCHIE asked the President of the Local Government Board, What steps have been taken with the view of closing the temporary Smallpox Hospital at Limehouse in accordance with the understanding conveyed to the House?

MR. SCLATER-BOOTH, in reply, said, that from information he had just received he understood that the hospital at Fulham would be open for the reception of patients to-morrow (Saturday), and that the hospital at Deptford also was nearly ready. In works of that kind, delay sometimes arose from causes, such as the weather, for which the contractors did not make sufficient allowance.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LOCAL ADMINISTRATION—REPRESENTATIVE COUNTY BOARDS.

RESOLUTION.

MR. CLARE READ, in rising to move "That no readjustment of local administration will be satisfactory or complete which does not refer County Business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board," said: Mr. Speaker: It will doubtless be in the recollection of the House that I placed upon the Paper last year, as an Amendment to the Second Reading of the then Valuation Bill, a Motion very similar to that which now stands in my name. I was informed on that occasion that there were a great many hon. Members who approved both of my Motion and of the Valuation Bill brought in by the Government, and as I did not desire in any way to impede the progress of that measure, and as the Bill has this year been greatly improved, I am glad that I decided on putting down my Motion as a separate question for the consideration of the House. I am now, Sir, prepared to move the terms of the Notice I have given, and in doing so I must crave the indulgence of the House, as this is a question which is intimately connected with the larger one of local taxation, while I offer a few words with reference to what has lately taken place upon the subject. The House will probably remember that during the last Parliament a celebrated Motion was made by the hon. Baronet the Member for South Devon (Sir Massey Lopes), the effect of which was that certain local charges for the maintenance of the police and lunatics and for the administration of justice should be relieved by subsidies from the national treasury. On that occasion there was a majority of 100 Members of this House in favour of the hon. Baronet's Resolution, and the Members of Her Majesty's Government, who who were then sitting on the front Opposition bench, voted for that Resolution almost to a man. Sir, I am indeed very glad that Her Majesty's Government have not forgotten the pledges they gave when in Opposition, and that they have right loyally and faithfully carried out those pledges since their accession to office. During the period they have been in power they have given us a further augmentation of Treasury allowances for the maintenance and clothing of the police, and they have also given 4*s.* per head per week towards the maintenance of lunatics. In addition to this they are about, under the Bill of the present Session, to transfer the whole of the gaols from the local authorities to the State; and, Sir, I must be allowed to express my great wonder that any hon. Gentleman who then gave his vote in favour of that Resolution, could have voted against the Prisons Bill, because I consider the prisons to be necessarily included in the more general terms of the "administration of justice." I am of opinion that there are certain charges which are much better undertaken by the State than by the different localities—namely, those in which it is necessary that thorough uniformity and exactness should prevail; and, Sir, I think that the treatment of our prisoners comes under that head. But, at the same time, I do think that there are a great many local charges with which the Government interfere unnecessarily, and towards which they do not give the slightest contribution. I quite agree with what has fallen from hon. Gentlemen who, in speaking upon this subject last night, argued that the subventions given by the Treasury in aid of local taxation have, in their present shape gone quite far enough. But Her Majesty's Government has done something more than give those subventions in aid of local charges. They have also attempted a reform in the administration of our local burdens. They have passed one Act for the purpose of simplifying and consolidating numerous Acts relating to public health. They have passed another Act relative to the rating of woods and mines, and Government buildings; and a further measure to prevent the pollution of our rivers. They have also undertaken to call attention to our local burdens by means of a local Government Budget; and they have succeeded in passing two or three Acts in relation to loans for local purposes, which are extremely serviceable and beneficial to those Bodies with whose interests they deal. They have also given us a Poor Law Amendment Act, and therefore I say that we, who are local taxation reformers, have no fault to find with Her Majesty's Government under any of those heads. I think we are bound to be, and that we are, very grateful to them for what they have done, and for having so well redeemed those pledges which they made when they were in Opposition. But, Sir, I fail to see how Her Majesty's Government can be expected to go much further in the reform of the administration of local burdens, unless, indeed, they are content to adopt some such Resolution as that before the House. I do not see how, otherwise, they can go on in this direction; and I trust we shall not see much more of that practice which was referred to last night, of "putting the cart before the horse." It may be in recollection of the House that last year my hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell) sketched out in relation to the Valuation Bill of that Session, a proposal for the formation of a County Board which he intended to move in Committee. My right hon. Friend (Mr. Sclater-Booth) also proposed, on the occasion when he introduced the Highways Bill, the appointment of a County Board for the management of main highways; but, Sir, what I want to see is not a Board for this purpose, and a Board for that, and half-a-dozen other Boards for so many other purposes; but one really good county authority which should manage all those county matters. And, Sir, if I required any authority, and if I needed any excuse for bringing in this Resolution, I should read to the House the speech made by my right hon. Friend when he recently introduced the Valuation Bill. My right hon. Friend then stated that in addition to the matters dealt with by the Bill then under his consideration, there were certain charges—namely, those relating to lunatics and to in-door poor, which might with very great advantage be spread over a much larger area than that of the Union. In fact, the right hon. Gentleman went on to multiply county charges; but he failed to propose to us any county authority, and the consequence is, that I am endeavouring to supply the omission by this Resolution. Now, Sir, I do not propose to enter at length into the theoretical part of this question; but I must refer to it very briefly, and I promise the House that I will detain it upon this point but a very few moments. There can be no doubt about one of the well-known principles of our Constitution—namely, that representation and taxation should go hand in hand. But when you come to test the operation of that principle with regard to any direct representation upon the county authorities, it will be found that the ratepayers have about as much control over the magistrates, who constitute the chief local authority, as they have over the other House of Parliament. And although it is quite possible for noble Lords in "another place" to administer the taxes of this country as well as we sitting here can do, such a proceeding would, nevertheless, be wholly unconstitutional. If I recollect rightly, Her Majesty, not long since, sent an Ambassador Extraordinary to the Turkish Government, and one of the suggestions he was charged to make to the Porte was, that it should give to its subjects in the disturbed Provinces local self government. But I should like to ask Her Majesty's Government whether, supposing some intelligent Turk had happened to question the noble Lord, who was sent out to Turkey, as to what sort of government we have in the counties of England, that intelligent foreigner would not have been very greatly surprised to hear that the only county government we have in England is that of the quarter sessions, and that the members composing that administrative body are all nominated by the Crown. I would also bring before the House for their consideration that whereas, with regard to the Imperial Government of the country, the House of Commons seems to be growing more and more powerful as time advances, from the fact of its being elected upon a wider basis, so that the taxpayers of the country have a greater power over the levying of taxes than was formerly the case; on the other hand, the ratepayers of the country are continually being deprived of the power they ought to have over the rates, and that that power is being concentrated more and more in the hands of the paid officials of the Government. The fact is, that Inspectors multiply to such an extent that it seems to me that they will by-and-bye have to inspect each other. The Government Offices are yearly acquiring more and more power, and, in point of fact, if this petty interference be much longer continued, it will, in my opinion, work our salvation, or rather, its own stoppage, by entirely clogging the wheels of the Imperial machine. I think it was my right hon. Friend (Mr. Sclater-Booth) who said that we have now made the Boards of Guardians throughout the country the municipal authorities of the rural districts. It is true that they have not the control of the highways, but I hope they will have. We have certainly given them very great powers. We have not only assigned to them the administration of the Poor Laws, but they also deal with questions of valuation and sanitary matters; and, only lately we have given to them the administration of the Education Act. Well, how do we treat those Bodies; what are the powers we give them, and in what way do we interfere with their action? I will illustrate what I mean by giving the House the result of recent experience. On New Year's Day I attended a meeting of the Forehoe Guardians. That being the day on which the Education Act came into force, we, of course, very naturally discussed it. The Forehoe Board of Guardians happens to be an old incorporation, which has existed more than 100 years, and we do not have our new Board elected until next Midsummer, consequently the school attendance committee cannot well act until July. I suggested to the Guardians that although they could not put the law in force at present, nevertheless, as all the pains and disabilities which the Act imposes would otherwise fall upon people who are ignorant of the law, it was our duty as Guardians to make the poor acquainted with the new duties and responsibilities that had been put upon them. I therefore proposed that we should spend a small sum of money—I do not suppose that it would have cost more than a sovereign—in order to issue through the different relieving officers, handbills that might be given to every poor parent in the district, explaining what it was necessary they should be made acquainted with; but knowing that we had no authority to take this step on our own responsibility, we wrote to the Local Government Board for its gracious permission. After keeping us waiting for three weeks—the legal department is generally slow in its movements, and is invariably rather obstructive—we had sent to us a piece of information with which we were well acquainted beforehand — namely, that the duty of issuing those handbills belonged to the school attendance committee and not to the Guardians. Why, Sir, if you impose responsibility and place trust in local authorities, I say, by all means let them be trusted. I contend that the best way to make a man feel his responsibility is to allow him a little latitude when you know that he is really worthy of it. Of one thing I am quite sure—namely, that if this style of interference is continued much longer, it will be useless to expect that the best men of the localities will serve upon the Boards of Guardians, merely to register the decrees of Government officials. Here was a Board presided over by an ex-Cabinet Minister, and attended by the gentry, clergy, and the better portion of the yeomanry and leading tenant-farmers of the district, and yet such a body is not allowed to expend one sovereign out of the rates in aid of an important measure which the Government of this country has recently passed for the purpose of educating the people. I will detain the House but a very few minutes, while I refer to the history of these county authorities. If we go back to the days of Alfred the

Great, we find that a county authority existed during his reign—an authority remarkably like that which I should like to see established. The different parishes sent delegates to the Hundred Courts, and the Hundred Courts sent representatives to the County Courts, and those bodies consisted not only of such delegates, but of certain men who by official position or property qualification were made members of the Board. These County Courts or Boards, perished during the Wars of the Roses, and we hear no more of a county authority from that time until the latter end of the reign of William IV. The counties lost all their local authority during that period, and I hope that I shall not be considered offensive to hon. Gentlemen who represent boroughs in this House, when I say that one reason for the increased powers and intelligence which the boroughs possess is to be found in the fact that they have had good municipal authorities, and I think it must be to that cause—namely, the want of efficient local government—that any supposed inferiority of ability on the part of the rural constituencies must be ascribed. In the year 1836 this question came before the House in the shape of a Bill brought in by Mr. Hume, in which he introduced the principle of direct election, and in 1849 Mr. Hume again tried his hand at legislation on the subject by bringing in another Bill. After that Mr. Milner Gibson dealt with the question in 1850 and 1852, and then we had another long spell of rest until the year 1868, when we had the Schools Inquiry Report in favour of the establishment of a County Board for the purpose of managing the educational endowments of the county. Then we had a Bill brought in by Mr. Wyld, followed by the appointment of a Committee of this House, which sat upstairs, and who reported somewhat in favour of direct representation. In 1869 the question passed from the hands of private Members, and became a matter for Government consideration. In that year the right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen) brought in the first Government Bill on the subject, and in 1871 another Bill was introduced by the right hon. Gentleman the Member for the City of London (Mr. Goschen). But it appears that previously this agitation was only of a fleeting and fitful character; and I do not wonder at it, because, in my opinion, it was not based on a strong foundation. There was a cry of "County Financial Boards," and that cry was founded entirely on the supposition that there was great extravagance in the administration of the county rates by the magistrates. But I knew to the contrary. From what I had experienced in my own county, and from what I heard from other districts, I was sure that although the magistrates had authority to expend £3,000,000 of the ratepayers' money, and had no official audit, their expenditure would contrast most favourably with the financial management of the best municipal authority in the world. Why, Sir, some people went so far as to say that the county magistrates built gaols like Chinese pagodas, shire-houses like baronial halls, and asylums like mansions. Even supposing there was a little ornamentation put on some of those buildings—admitting that some of the gaols were built even in an expensive style and with good taste, what were they, after all, compared with the palatial mansions built under the authority of the town councils in many of the larger boroughs? Positively nothing. Then, again, there is another fact to be remembered—namely, that the magistrates have really no authority over 80 per cent of their expenditure. This proportion of their expenditure is imposed upon them by law, and although a good deal has been made of this fact —although, perhaps, rather too much stress has been laid upon it—the end was put forward and enacted by Parliament, but the means were left to the discretion of the magistrates—and right well, in my opinion, have they used that discretion. I assert that the way in which the county matters coming under their control have been managed by the local magistrates, constitutes a standing monument, showing how well and assiduously they have done their work. Therefore, in what I have to say I trust the magistrates will give me credit for entertaining the greatest possible respect for their talents and assiduity, and, above all, for their integrity and economy. Having said this I shall of course be asked—"Then why don't you leave well alone." I, of course, admit that that is a good Tory maxim, and it is one that I very often endorse; but, in this matter, unfortunately, Parliament will not let us alone. We have been constantly passing Act after Act imposing fresh liabilities and burdens on the ratepayers, and also conferring great powers on the Local Government Board and other officers of the Government. Now, Sir, I will just refer very briefly to the authorities in the nature of County Boards that are to be found in other parts of the world. In England we have a county authority, which is composed of persons nominated by the Crown. In Scotland they have Commissioners of Supply, who come there by right of their property, and in Ireland you have gentlemen who are summoned by the Sheriff and who need not be magistrates, but who may be owners or the representatives of owners of land. If we turn to France, where there is said to be so much centralization, we find that they have a general council in each department, and although it is true that the council is presided over by a prefect appointment by the Government—["Hear, hear!"]—yes, hear, hear!—but the representative members of the body are elected by the ratepayers, and they have control over the chief roads, public buildings, railways, asylums, fairs, and markets, and beyond this they actually regulate the proportion of Imperial and local taxation which each commune has to pay. In Belgium and in Russia also, there is a provincial council, and in Prussia a sort of elective county Parliament. Well, Sir, I shall probably be asked—"What more do you want? What Board do you propose? How is it to be constituted?" I, of course, have no authority to say anything for anybody or to speak on behalf of any institution, except the Central and one or two Chambers of Agriculture who support the views I entertain. But before I say what it is I propose to do, I will tell the House what it is I do not wish to do. First of all, then, I do not desire to abolish the existing quarter sessions, for to have stipendiary magistrates appointed all over the country. I think that to do this would be a very great misfortune to the country, and as a ratepayer myself I do not wish to pay for justice which I find is exceedingly well administered under the present system gratuitously. And with regard to the paid magistrates, I can only say that from the recent experience we have had in Norfolk of County Court Judges, I am quite certain that the prayer which would go up from our district on this subject would be—"From second-class barristers, of however long standing, good Lord deliver us!" Well, Sir, I will here say a word on another point. I do not wish to add to the duties or the numbers of the present quarter sessions, as was proposed by the Committee on County Boards. This was the principle of the Bill brought in by the right hon. Gentleman the Member for Sandwich, and although no doubt it was a good principle in the abstract, I think that the Returns that were moved for in this House by Mr. Corrance showed pretty clearly that it would be almost unworkable in practice. I believe it will be seen from those Returns that in the county of Lancaster there would be nearly 1,000 members of the Board under the proposal of the right hon. Member for Sandwich, and in the county of Norfolk we should have 300 or 400 constituting that body. I think the House will agree with me that it would be impossible for us to have County Boards of these vast dimensions. The Committee of the House of Commons to which I have already referred, also took the same line. They proposed that certain representatives of the ratepayers should be added to the quarter sessions, and that they should sit with the magistrates to transact the county business after the judicial business was over. There seemed to be an idea in the minds of the Committee that there were certain yeomen and tenant-farmers, and other persons of the middle class, who would be anxious to obtain seats at the quarter sessions, under the impression that the position would add a little to their dignity and social standing. Now, Sir, although I do say that a place upon the County Board which I propose ought to be an object of ambition on the part of a good many very excellent and able men among the ratepayers, I have, at the same time, no sympathy with those who merely desire to write certain initial letters after their names without doing any sort of work in return for the privilege. I would say that what we want to see on these Boards, should they be established, are men who will do good service and real work. And there is another thing I do not wish to have. I do not want to bring about the turmoil and expense of direct annual elections. We should be sure to get a bad Board if we were to resort to that method, and I am quite certain that its expense would very soon make the ratepayers sick of it. Well, now I come to what it is I do propose. I propose that the new County Boards should be composed one-third of magistrates, to be appointed by quarter sessions, and the other two-thirds of members to be sent direct by the Boards of Guardians thoughout each county. And, further, I would not limit the choice of the Guardians to ratepayers who are not magistrates. I do not object to a magistrate because he is a magistrate, but because he is not elected. I am sure that the Guardians would send a great number of magistrates to the Board; indeed, it was pointed out during the discussion at the Central Chamber of Agriculture, that it is quite within the bounds of possibility that the whole of the members of a Board may be magistrates, and even if this were the case, so long as the Board is elective I should consider it a mistake, but I should be perfectly content. No doubt I shall be asked—"What do you propose to leave to the quarter sessions?" My reply is, that I would leave to them the entire control of all matters relating to the administration of justice. They should have, as at present the management of the police, all county buildings, the arrangements as to weights and measures, the appointment of analysts, and the supervision of licences. I am aware that the hon. Member for Newcastle (Mr. Cowen) has an idea that the control of the licensing is a power that should be placed in the hands of a representative Board; but I regard it as a matter intimately connected with judicial considerations, as it involves the maintenance of order and the better protection of the Revenue; although I think it very probable that the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) will say it involves the promotion of disorder and legalizes the sale of poison. I think on the whole that the supervision of the licensing is one of the functions that ought to be retained by the magistrates. Well, then I shall be asked—"What would you take away from the magistrates and give to the Board?" My answer is, that there are the lunatics, the bridges, the administration of the Cattle Diseases Act, valuation as far as regards the appeals, as was proposed last night by my hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell), the registration of voters, and the making and levying of the rates. I may also be asked—"Are there any new duties you would impose on the Board?" Well, Sir, they are sure to crop up. Once get your county authority and you will soon find plenty of work for it to do. I will, however, mention one or two things that I think they might do. In addition to what I have stated as to supervising the valuation lists and hearing appeals, they ought to be a main Highway Board, such as my right hon. Friend proposed in his Highway Bill of last year. Again, there are certain sanitary matters that might with advantage be referred to the County Board. By the Act of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), who was good enough to give us a great measure of sanitary reform, we have medical officers of health, appointed sometimes for a whole county, and we have found them to be perfectly unmanageable. There is nothing to bind any two Boards of Guardians to stick to their bargain for more than a year, and the result is, that you cannot get a good man to accept a post as medical officer, because he cannot tell how long he may retain his appointment. I think that a County Board would be very useful on this head. Then there is the question of engineering and sanitary science which might be taken up with great advantage by the Board. This would be extremely helpful to ignorant people in country districts, and the county surveyor might be the person appointed to give advice and sometimes supervise the work. Then the Board might consider questions with regard to the extension of the Poor Law, and upon this subject I would say that we have a great many more workhouses than we really want. But the question is, what are we to do with those that are not required, and who is to arrange the disposal of them? Well, Sir, the Board might consider whether it would not be well to utilize them for different purposes; one might be turned into a reformatory, another into an idiot asylum, and a third into an industrial school, so as to remove from the children the taint of pauperism, which is sure to stick to them if they are brought up in a small workhouse—a school where they might receive a good and useful industrial education. There is also the question of the permanently sick and infirm, which might engage the attention of the Board, and they might consider whether these afflicted people would not be better treated in some large infirmary than in the sick wards of the different workhouses, where they are now stowed away. Then, again, they might take up such questions as those of arterial drainage and the storage of water, while the supervision of the educational endowments of the country might come very properly under their cognizance. I have suggested that the whole management of the police should remain in the hands of the justices meeting at quarter sessions, and I am told that some hon. Gentlemen think that if this were to be the case there would be a conflict of authority. Some hon. Gentlemen say — and I believe my hon. Friend the Member for Gloucestershire (Mr. J. R. Yorke) is of opinion—that we should follow the plan at present carried out in Ireland—namely, that the Government should pay the whole of the charge for the police force; but I have not been able to arrive at the same conclusion myself. Another idea is, that the owners of land, who are supposed to be represented by the magistrates, should pay, as they do in Scotland, all county rates; and a further suggestion is that the police should be removed from the authority of the magistrates at quarter sessions and handed over to the County Board, under the same plan that prevails in boroughs, where the municipal authorities, and not the magistrates, have the management of the police. My own opinion is, however, that this is wrong in principle, and that the magistrates, who have to administer justice, ought to have the management of the police. The Government pay one-half of the charge for the maintenance and clothing of the police, and they will take care that the force is kept in an efficient state, and that there is no unnecessary expenditure or extravagance. Therefore, I should leave the police in the hands of the magistrates with the most perfect confidence, and the way in which the money would be furnished would be something like what happens with respect to the school board, a precept being made upon the corporation or the Guardians—a similar precept could be issued by quarter sessions—so that there would be no trouble in levying the rate. Another function of the Board would possibly be—I say "possibly," but I hope it may be probable—that they should be the recipients of some Imperial taxes. When the right hon. Gentleman the Member for the City of London (Mr. Goschen) is again in power, he may be inclined to offer the house tax once more to the local ratepayers; and if he does, I hope he will remember that land pays rates as well as houses, and in justice to the rural districts give us the land tax as well. Some hon. Gentlemen, among others my hon. Friend the Member for North Devon (Sir Thomas Acland), advocate the proposal that some of the assessed taxes should be given in aid of local charges. I believe the Government have it already in contemplation to make the police collect the dog tax, and if so, I hope the localities will stick to it as they do in Ireland. There are several other taxes, locally levied, that might be taken up as the opportunity served, such as the duty on carriages, which ought surely to go in aid of the maintenance of highways. Then there are the licences for guns and also the sporting licences, which may come at some time or other under the disposal of the Board. Again, there is the possibility that if the hon. Baronet the Member for North Wilts (Sir George Jenkinson) should ever be on the Government bench, he may carry out his pet theory of having a local income tax for the relief of the poor, and in that case I think it would be best dispensed by a board of this description. I have now come to the end of my propositions; but, with the permission of the House, I will just refer to one or two objections and criticisms with which I think they are likely to be met. In the first place, I shall be told that if these Boards are established, the magistrates at quarter sessions will have nothing to do. The Home Secretary, it is said, has already taken from them, by the Prisons Bill, the management of the gaols; but, Sir, I really believe that the visiting justices will have quite as much to do as before, and that great responsibilities will still attach to them. I am not aware that what my Resolution would take away from them would be more than usually occupies the justices assembled in quarter sessions about ten minutes or a quarter of an hour at one sitting, and consequently they will find that they will go on pretty much as they have done. Why, Sir, I remember, in the days of my childhood, hearing the same thing said with regard to the old Poor Law. "Oh," it was argued, "you are going to disestablish the magistrates, because it is they and the overseers who virtually administer the Poor Law." But I ask the House whether, after the experience we have since had, we should like to go back to those old days and abolish the existing Boards of Guardians? I think not. There is no doubt that the magistrates did fairly well what they were able to do under the then bad laws and adverse state of things, and I am quite sure that we are right in obtaining the voluntary services, not only of the magistrates, but also of every intelligent ratepayer in the country; but, on the other hand, I do not think it is the duty of Parliament to find honourable employment for all gentlemen of leisure. The next criticism that may be applied to my Motion is that there will be nothing for the Board to do. Well, I admit that, in the first instance, there will be but little; yet I say that will be a great advantage, as I do not wish to see the Board overworked at the outset. I should rather prefer to see the Board set to work on two or three things at first that would not tax it over-much, and that the duties should only be allowed to expand as time went on. If you have in a county a head and centre that will be thoroughly representative, you may very soon be able to put upon it a good deal of work which you may safely trust it to do well. A great many rural matters are too large to be treated by Unions, and yet not large enough to be sent up to the metropolis and managed by the red-tape of some Government Department. We are also told that the members of the Board will not act. I ask those who say so whether all the magistrates act? I believe that, as a rule, a very large number never attend quarter sessions. I will take the case of my own county. We have about 300 magistrates in Norfolk, and I believe I am right in saying that about 25 or 30 of the most active of this body are the only magistrates usually present at the quarter sessions; and, as these sessions only come four times a-year, I do not think there would be any necessity for more than that number of meetings of the Board on its first appointment. Furthermore, it is contended that the members of the new Board will not be qualified, either by their education, or position, or the leisure they have at their disposal, to act. Now, Sir, this objection might, perhaps, suggest the inquiry whether every justice of the peace is fully qualified for the position he holds? I will not, however, make the invidious comparison that might be entered upon in answer to so impertinent a suggestion; but I will say this—that if the picked and educated men of the Boards of Guardians are not fit to carry out this business, Parliament has been very wrong in entrusting them with much more responsible duties. If those Boards of Guardians can manage to administer the Poor Laws efficiently, if they can also be safely entrusted with the supervision of sanitary matters, and if in addition to this they are thought qualified to carry out the Education Act, then, I say, they are quite good enough to elect men to look after such matters as cattle diseases, county bridges, and the management of lunatic asylums. Another objection I have to meet is that we shall have no economy — or rather, no more economy under County Boards than we have under the present system. Well, I candidly admit that I do not think we shall. I never in my life knew an elective body that did not spend money pretty freely; and I believe that that is the reason why this movement is not very popular among certain ratepayers. There is a class of ratepayers in this country—and they are a large and a very respectable class—who, if you go to them and say that this or that scheme will not reduce your rates, they will at once reply that they do not like your scheme at all. I confess that I do not think there will be any immediate saving in the establishment of elective Boards; on the contrary, I believe that at first it is possible you may be put to a greater expense than is the case at present; but, on the other hand, you have to set against this the fact that the work will be better done, that it will be done more uniformly and in a more substantial manner, and, therefore, I say, it will, in reality, be cheaper in the end. Another criticism I have to meet is, that the establishment of these Boards will multiply a whole lot of local officials. But we have clerks of the peace and surveyors, and I apprehend that, as you insist on the clerks to the Boards of Guardians being also clerks to the assessment committees, you will also insist on the clerk of the peace being clerk to the new Board, while, with regard to the county surveyor, he would, as a rule, be found quite competent to perform all the engineering work the Board might require. Well, Sir, I now come to a more serious objection, and that is, that the County Boards would greatly interfere with the action and independence of the small local authorities. I think it was the hon. Gentleman the Member for Oldham (Mr. Hibbert), who said, during the debate of last night on the Valuation Bill, that there are not only some authorities who wish for local self-government, but others who are for no government at all, and who cannot be induced to do the work imposed upon them, except under great pressure. I am sorry to say that I believe there are such bodies, and I do not hesitate to assert that I should like to put a very considerable amount of wholesome pressure upon them. And, Sir, I believe that a pressure of this sort could be better administered by a County Board than by my right hon. Friend the President of the Local Government Board. I think that if a certain number of refractory Bodies were to receive just a letter or two from the County Board they would be induced to mend their ways very rapidly. On the other hand, I believe that County Boards would really have the effect of delivering us from a certain amount of central tyranny. There is an amount of central interference with local administration that must be stopped, and if a local authority like the County Board suggested by my Resolution were to enfore its authority, backed by its representative character, a vast amount of good would be done in this direction. There would, doubtless, be a good many difficulties to encounter in the formation and working of these County Boards; and with the permission of the House, I will refer to one or two of them. Admitting all these difficulties, what I contend is that they would be considerably increased by delay. The House has been told that new areas are constantly being created throughout the country every year, and if you say that those complications of areas must all be arranged before you can have County Boards, and if nothing is to be done till then, I think it will be a very long time before you will be able to establish them. If, however, you do get County Boards established, there can be no doubt that they will be a great assistance to my right hon. Friend the President of the Local Government Board in carrying out the reforms in contemplation under the Poor Law Amendment Act of last year. I consider that the formation of a competent county authority will help, and certainly will not hinder, the arrangement of those matters. But, I have been asked—"How are you going to provide for the case of municipal boroughs with representatives at the Boards of Guardians?" Well, if they have municipal institutions and in no way contribute towards the county rate, the borough Guardians will retire when the voting comes on for the members of the County Board, in the same way as the Guardians who represent localities that are blessed with local government, now take no part in sanitary questions at the Board. Where there are in a Union two or three parishes that do not belong to the county, the Guardians of those two or three parishes might be empowered to go over to the next Union of their own county, and vote for the representatives they wish to send to the County Boards. Beyond all this, it is said that the Board will be too large for general work; but I believe it is the case that the quarter sessions do the greater portion of their work entirely by means of committees, and I do not see any reason why that course should not be adopted in the case of the County Boards, and should they require to hear appeals against assessments, there is also no reason why a committee should not sit in the different parts of the county whence those appeals originate. There are many other matters of detail into which I will not trouble the House by entering. I have to thank the House most cordially for the kind attention with which it has listened to my very lengthy, and, I am afraid, very dreary story. I am sorry that I have made it so very long; but the fact is that the subject is so complex and so important, that I felt I was justified in detaining the House and inflicting this speech upon it. I shall, no doubt, be asked by hon. Gentlemen on both sides of the House what I am going to do with regard to this Resolution? I received a little slip this morning, signed by my hon. Friend the Member for Mid Kent (Sir William Hart-Dyke) and on that paper it was stated that a division would certainly take place upon my Motion; but whether Her Majesty's Government are going to support the Motion and divide with me, or whether they are going to oppose it, was not stated. I have the greatest possible respect for, and confidence in, the right hon. Gentleman the President of the Local Government Board, and I am sure, from his extensive knowledge of county business, and also from his sound and statesmanlike views on the subject of local taxation, that if the question were left for him to decide, he would be with me and vote in favour of my Motion. But, Sir, I think it a great misfortune that my right hon. Friend is not where I should like to see him—in the Cabinet. In my opinion, the President of the Local Government Board is gradually becoming invested with the portfolio of "Minister of the Interior," while the head of the Home Office is becoming more and more the "Minister of Justice." I think that some very good measures of my right hon. Friend have been pushed aside in order that others should be passed in this House, which I regard as of less importance. I assure the House that this is no Party question. It has not been made a Party question, and I trust it never will be. If Her Majesty's Government intend to oppose this Motion, and if they tell the House that they will not accept it in any form or shape—if they say it is no part of their scheme of local government, and if they will not have any head or centre except the "head centre" in London, then I shall have been appealing to them in vain. But if, on the contrary, they assent to the principle of the Motion, and tell us that in due time they will be prepared to carry out my views, then I trust they will accept my Resolution. I say that this proposal ought to be the foundation of any further measure of reform of local taxation. Perhaps my right hon. Friend will say that it ought to be the coping stone of his building—the capital of his column; but in whatever light he may regard it, I shall be quite ready to leave it in the hands of the Government; and especially in those of my right hon. Friend at the head of the Local Government Board. I consider that this Resolution is so just and reasonable that it will be sure, if carried, to strengthen the hands of my right hon. Friend, and it will further be a useful reminder of his promises. We had only one fault to find with the hon. Baronet the Member for South Devon (Sir Massey Lopes), who led us so well and so nobly on this subject when we were in Opposition. The hon. Baronet on one occasion had a Resolution to the effect that the Government deductions from the cost of criminal prosecutions should cease to be made, and the then Home Secretary gave a most ample pledge that the matter should not only receive consideration, but that the deductions should be put an end to. In a fit of kindness and generosity my hon. Friend withdrew his Resolution, and the consequence is that we still have those deductions. I hope that I shall not be placed in a similar position on this occasion and asked to withdraw the Motion, for I shall assuredly decline. I consider that a county authority in the shape of a representative Board is a great necessity, that it is imperatively required, and, what is more, I hold that it is inevitable. I desire to make the local government of the country rather more of a reality and less of a sham than it is at present, and therefore I respectfully ask the House to affirm this Resolution, and to place it upon its records, not I hope by a division, but by acclamation. I beg, Sir, to move the Resolution that stands in my name.

Sir HARCOURT JOHNSTONE, in seconding the Resolution, said, he regretted he could not speak upon the subject with the same weight and experience as the hon. Gentleman who had just sat down (Mr. Clare Read); but he could testify to the existence of a strong feeling out-of-doors in favour of the proposal. If it had not been for the independent action of many tenant-farmers of this country we should never have, what he hoped we should soon have, a good representative system of county government. In 1866, when the Highway Act was not so thoroughly understood as it was at present, he recollected that the efforts of the magistrates to carry it out in the North Riding of Yorkshire raised a storm of indignation such as he never before remembered in his life. Among other things he was told that no one's life would be safe; and what was more terrible, that every fox in the country would be destroyed. All that had subsided, however, and the tenant-farmers now co-operated with the magistrates in carrying out the provisions of the measure. With regard to representation of farmers and others on County Boards, it was not a question in any way of attempting to secure social equality, although for many years there had been a sense of injustice on the part of the ratepayers, but their consciousness of importance had now been developed to such an extent that they were convinced that it would be no longer possible for any Government to withhold what was their due. He agreed with what had fallen from the hon. Member for South Norfolk, as to the small proportion of the county expenditure which was optional. In his own part of the county, out of £28,000 annual expenditure, only £3,000 was optional; the expenditure of the rest was absolutely obligatory. He had sat with tenant-farmers on every possible Board that could exist, and he could say that he had been struck by their great anxiety to discharge their duty, by their intelligence, and their shrewdness. They were able to hold their own with the magistrates as Poor Law Guardians. He would like to point out certain improvements which might be brought about in our present system of Union administration. He had always regretted that magistrates did not take that active part in the administration of the Poor Law which their position and responsibilities entailed upon them. The fact that they were *ex officio* Guardians seemed to make them think they might attend or not as they liked. When the Highway Act was carried into operation in South Wales the magistrates elected a certain number whose duty it would be to take the labouring oar in their own districts. He did not say that the magistrates were guilty of extravagance. On the contrary, his experience was that they were rather apt to be penurious; but some change in the present system was absolutely required. He would insist, if he had the power, that the magistrates should elect so many of their number to serve on the committees of the Union. So far as Boards of Guardians were concerned, there was no ground of complaint as to tenant-farmers. Even when mixed up with the Guardians elected by the boroughs they did their work remarkably well. The greatest blot of the Union administration, however, was in the working of the assessment committees. As a rule, assessment committees were composed of tenant-farmers. They were not strong enough for the job, and they met with difficulties arising from the underletting of the land on account of the game. Land which ought to be let at 30*s.* was frequently let at 15*s.* an acre because of the ground game. The consequence was that some tenants did not pay their proper proportion of the rates, and what they wanted in the country was an assessment on the real value. When an appeal was taken it was not taken to a representative body. There was a feeling of jealousy between the two bodies; and if the decision of the assessment committee was reversed, it was said, of course, the county gentlemen were determined to upset it. There should be a more direct representation of owners and occupiers in the Union administration; and such a measure, he believed, would be received with great favour by all the assessing bodies in the country. Again, if hon. Members looked at the sanitary laws, and at the various committees the formation of which those laws had necessitated, they would find that although the Unions were equally deficient in the constitution of these committees, as they were in the other case, yet, as a rule, those committees worked well—for this reason, the liability to pay for sanitary improvements was imposed by the occupiers, and, of course, discharged by the owners, who therefore ought to be directly represented. In all these matters what it was desirable secure was an adequate and proper representation both of owners and occupiers; and he earnestly trusted that the blots which the present system presented would be removed in any new system of county administration. He confessed he did not think that in an economical point of view anything would be gained by the change. He had sat for the last 20 years on the county committees, and his experience was that if there had been what seemed to be jobs occasionally—such as the raising of salaries—

yet if the ratepayers were to go into an analysis of the various items of outlay, they would find that the money had been wisely and judiciously expended. What was it that had hindered the formation of County Boards up to the present time? A majority of hon. Members on the opposite side of the House appeared to be perfectly prepared for such a change as had been indicated; and, if that were the case, surely there must be some undefined dread and jealousy on the part of the Government in this matter of admitting a new element into the central administration of county management. In his own county there were £8,000,000 of floating capital invested in the cultivation of land, and yet the tenant-farmers were not associated, except on Boards of Guardians, with the financial administration of that county. It might happen that those who might be imported into their county organizations might not be always able to express themselves with the same facility as others, owing to their want of cultivation and education; but he had always found that, however rough or peculiar their language might be, they had endeavoured to do their duty at Boards of Guardians to those to whom they were responsible. The persons to whom he referred might be accused of prejudice and of narrowness; but he maintained that if that were a true description of them, the prejudice and the narrowness had been nurtured entirely by the exclusiveness of the system which had hitherto existed. It would be a wise and conservative measure to admit the occupiers into the county administration, just as in the Council of the Royal Agricultural Society they welcomed the assistance of these men. He did not see why they should not be placed alongside the magnates of the quarter sessions. Although sitting on the Opposition side of the House he laid claim to some little Conservatism, and he said that surely it must be in the interests of the landed gentry themselves, as well as of the whole country, that they should reorganize their county institutions, not in a spirit of innovation, or in order to produce useless change, but to bring about greater harmony and unity in the local administration. By widening the base and deepening the foundation of local administration, they would increase the stability of the social and political fabric, and would strengthen the local government against the centralizing tendencies of modern days, while at the same time they would do an act of absolute justice. They would dispel existing prejudices, conciliate good will, and secure the co-operation of the most valuable class in our rural community.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no readjustment of local administration will be satisfactory or complete which does not refer County business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board,"—(*Mr. Clare Read,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. SCLATER-BOOTH said, he must compliment his hon. Friend the Member for South Norfolk (Mr. Clare Read) upon the excellent tone and temper of his speech, and upon the great interest and value of the remarks he had made to the House. But before he proceeded to notice that speech in detail he would take the liberty of saying a few words from his own point of view upon the general question before the House. The question of County Financial Boards occupied a very different position from that which it did 20 or 25 years ago. When he first entered Parliament, now, he was sorry to say, nearly 20 years since, there was undoubtedly throughout the country, principally among tenant-farmers and among ratepayers, a general impression, whether well-founded or otherwise, that an injury, and a growing injury, was being done to them for want of some such organization as that which they desired to create by means of a County Financial Board. Parliament from time to time imposed burdens upon localities for the purpose of improvements with regard to the government of the country, and county justices were authorized by Parliament to carry out those improvements, while the ratepayers had no voice at the quarter sessions. A great deal of feeling was thereby created. Since then, however, many Acts of Parliament had been passed which created new administrative bodies for carrying into effect union, sanitary, and educational matters. A change of great importance was effected when the area of the Poor Law Union was substituted for the parochial area with regard to the administration of Poor Law relief. In 1872 Boards of Guardians were clothed with entirely new functions. They were constituted sanitary authorities. But, in point of principle, a more important step was taken last year, when the Legislature imposed functions upon them with reference to the enforcement of the Education Act. The function of a Guardian of the poor as an administrator of poor rates still remained extremely important, and as regarded expenditure it was probably the most important of any. These changes had very much prejudiced the question of County Financial Boards. With reference to the sanitary areas, he had stated on a former occasion that those areas had become stereotyped in a way which must be accepted to a great extent, if not as final; and he did not think that any Government or any House of Commons would attempt materially to break down those powers which, in this connection, had been conferred by successive acts of the Legislature. The county boundary was a thing which they all looked upon as sacred; and with respect to the parish boundaries, there was the greatest possible disinclination to interfere with them improperly or unduly. It had always seemed to him that they must look forward to the setting up of the co-ordinate jurisdiction of the magisterial authority over the county, as composed of parishes, side by side with an administrative authority composed of a combination of Unions, and they would have to exercise their functions over the "Union-county" area. The hon. Gentleman had referred to the reticence of the Government during the last three or four years with reference to this subject; but he (Mr. Sclater-Booth) had always held, and had stated his opinion, that a greal deal of useful administration might be effected by means of a common fund contributed to by the various Unions of a county, but the difficulty was to fix a time when it would be either expedient or possible to bring forward any plan of that sort, and whether the precise limit of such area should be the county was another question. His hon. Friend (Mr. Clare Read) had proposed to deal with various matters relating to the administration of the counties; but he (Mr. Sclater-Booth) hoped his hon. Friend would do him the justice to remember that the Government, through him, last year laid upon the Table a proposal to establish County Road Boards with the view of dealing with that portion of the subject. His hon. Friend also alluded to the question of lunatics. The obligation to provide lunatic asylums was an obligation imposed by law upon the magistrates and charged upon the county rates, but the maintenance of lunatics was a very different matter, and was charged upon the various Unions of the county. He apprehended that it would not be worth while to interfere with the subject of lunatics unless they were prepared to deal thoroughly with the whole question. At all events, the Pauper Lunatic Acts were extremely voluminous, and they were settled upon a principle entirely different from that which they were then discussing. The Acts proceeded upon the assumption that the incarceration of the lunatics was a very solemn and serious act, and it was one which had been entrusted by many statutes to the visiting justices of the county asylums, who were by no means identified with the county magistrates, but were clothed with special and separate functions. There was, as was well known, a great difficulty on this subject of county lunatics. There were many classes of lunatics who did not find their places in the county asylums, but who were distributed among the workhouses and elsewhere. In London, as was well known, this class of lunatics was under the control of a Board of Managers, and their maintenance was charged upon the Common Fund of the Metropolis. So to alter the Pauper Lunatic Acts as to bring the system which prevailed in the country into harmony with that existing in London, and to identify the position of the imbecile in those asylums with that of lunatics, so declared to be by the decision of a magistrate, would require a very careful examination of the Lunacy Acts, and it could not be undertaken except under the most careful supervision of the Lord Chancellor, of the Commissioners of Lunacy, and of the Secretary of State, or other bodies entrusted by law with very special functions. He should certainly be disposed to say that the maintenance of the lunatics should be charged upon a basis much wider than that of the Union, since there could not and ought not to be any possibility of imposture, and since upon every ground it would be most desirable that the administration for this particular class of people should be in the hands of a small number of county authorities rather than of the Unions who were now obliged to maintain them. Among other advantages would be this — that the repayment which was made by the Government in aid of the maintenance of these lunatics would be made to 50 or 60 bodies rather than to the 600 bodies as now. According to the last account they had of all the charges upon the county rate, it would appear that the whole of the sums levied by the county magistrates, setting aside the amount for the police, amounted to something over £2,000,000 a-year, or, striking out from that the cost of prisons and the repayment of debt, which was a financial operation which did not require any special management, there was not much more than £1,000,000 remaining to be expended by the county magistrates, representing little more than a 2¼*d.* rate. The items of expenditure, however, now defrayed by the magistrates, except the two last ones to which he had alluded, were of an unimportant character. There were other functions which certainly might very well be discharged by a County Board, but which did not yet exist; but he must ask the House to do him the justice to remember that in passing the Pollution of Rivers Bill through the House he had always reserved to himself the right to re-open the question as to the administration of that Act of Parliament when the proper time arrived for putting that administration into more vigorous operation. He must say that so far as the rivers lay within the county boundaries such bodies as had been suggested would be very proper authorities to put the law into operation, and the proposal of the hon. Member, if adopted, would save the smaller local authorities a good deal of disagreeable labour. He did not, however, say that such a provision would deal with the more difficult and important cases of those large rivers which ran through several counties, and which would require the management of a Conservancy Board, and he had always contemplated that some measure for facilitating the setting up of Conservancy Boards upon a large scale might hereafter be found necessary. He had frequently alluded to the remarkable success which had attended an Act of Parliament introduced by the right hon. Gentleman opposite (Mr. Goschen), under which a portion of the cost of the in-door maintenance of the poor in the metropolis was charged upon a wider area than the Union. He was disposed to agree with his hon. Friend (Mr. Clare Read) in his views that under the Sanitary Act of 1872 it would have been a preferable plan to have made the medical officer of health a county rather than a Union officer. The inspector of nuisances was the proper agent for dealing with local nuisances, and it always seemed to him that the function of reporting upon disease in a large area should be assigned to a man who devoted his whole time to the work, and would take into consideration a wider view of all the circumstances with which he had to deal. Therefore, there being only this very limited function of County Board management to be disposed of, and the Government having proposed last year in their Highway Bill to assign that function to a Representative Body, he felt that no charge of neglecting this subject could be laid against the Government. He had rather been led to infer from the observations which had fallen from hon. Members opposite that they desired something much wider, much larger, and more extensive than the moderate and reasonable plan which had been shadowed forth by his hon. Friend. The hon. Members for Bedford (Mr. Whitbread) and Liverpool (Mr. Rathbone) had frequently alluded to the great mass of debt which had been incurred by the local authorities, but the greater part of that debt was chargeable upon town, and not upon county rates; and if it were desired that the County Boards should, in future, take in charge the municipal as well as the county administration, that was an idea with which he could have no sympathy. Again, a favourite expression had come into vogue among hon. Members opposite, and that was the "municipalities of the counties." He thought he had shown them that they at present had those municipalities—that was to say, bodies having administrative functions in Union areas — exercising authority over ratepayers in those areas exactly analogous to that of municipal authorities. If there were to be larger bodies representing the county, that might set up a sort of Home Rule for counties. His hon. Friend the Member for South Norfolk had referred to the system of local government which prevailed in France, and had referred to the *préfets* and to the departments. There was no country in the world more highly centralized than France. It was quite true there was some administrative machinery in the several Departments; but, taking into account the vast difference in the area of the two countries, and the difference between the habits of the people of France and of England, his belief was that the latter was too small for a system of departments, and that a system of Home Rule in counties would be extremely unpopular with the people. But his hon. Friend also said that when we had these County Boards we might begin to decentralize and assign to them work now done by the various Departments of the Government. For himself, he could say he should be most happy to decentralize, and so to relieve his overburdened Department of the large mass of work which was continually growing upon them, and entailing more labour than they could supply. He should certainly take every opportunity of furthering so good a cause as decentralization. He must, however, candidly tell his hon. Friend and the House that there would always be great pressure from without to increase the centralizing power of the Government. Let him for a moment illustrate that by what occurred some two or three years ago, when the Act for the Prevention of the Adulteration of Food and Drink passed. That was a measure with which he himself and his hon. Friend had been associated, and he might say in passing that it was working extremely well. Extreme pressure was brought to bear upon him (Mr. Sclater-Booth) from both sides of the House in order to induce him to insert in the Bill a provision that the Chemical department of the Inland Revenue should act as a Supreme Court of Appeal from all the analysts in the country; and that pressure was so urgent that he was reluctantly induced to put that provision in the Bill. On the whole, he could not say that it had worked badly, although he did not altogether approve the principle upon which the proposal was based; but he only mentioned it to show the feeling in favour of a central authority which always displayed itself in the House, and undoubtedly found favour there. Speaking on the general question, he was bound to express his obligation to his hon. Friend the Member for South Norfolk for the appreciation he had shown of the action taken by Her Majesty's Government since they came into power. His hon. Friend most candidly acknowledged that the Government had neither set aside nor neglected the subjects in which he was himself so much interested, and he admitted further, with satisfaction, that many measures calculated to further his views had, through his (Mr. Sclater-Booth's) agency, been introduced into the House on the part of the present Government, and had passed into law. His hon. Friend had also expressed approval of the scheme of the subventions granted by the Government in aid of local rates, which it was his (Mr. Sclater-Booth's) first duty to propose, and admitted it was one of benefit to the country. In some quarters it was thought at the time that the Government was in too great a hurry to apply the surplus at its disposal in this particular way. His own view, on the other hand, was that the course taken was in perfect accord with the feeling and the position of the country at that particular time. It was a responsibility which few Governments, perhaps, would have undertaken; but he thought experience would show the wisdom of the Government in taking and appropriating as they did the surplus which was then at their disposal. He admitted that in the time of King Alfred there was, perhaps, a more pure system of local government than had prevailed since; but he thought that, comparing the condition of the general body of the people now with what it was then, the balance of advantage could not be said to be all on one side. He would not follow his hon. Friend into the details of the plan before the House. His hon. Friend had stated his subject with so much moderation and consideration for the time and freedom of action of the Government, that he (Mr. Sclater-Booth) felt he had very little to say in reply to the particular Motion with which his hon. Friend concluded. There was, of course, always some disadvantage in Parliament laying down abstract Resolutions, and in placing on the Journals of the House a Vote which might be brought up year after year, and thrown in the face of any Government in spite of the inconvenience which it would cause them. His hon. Friend, however, had interpreted the Resolution with so much consideration for the position of the Government and for himself (Mr. Sclater-Booth) — for which he begged to offer his hearty thanks—that he felt he should be doing an ungracious act if he were to ask him to withdraw his Resolution. In the course of his speech his hon. Friend had referred to some observations which fell from him (Mr. Sclater-Booth) in the early part of the present Session. The use of the word "complete" in the Resolution imported into it an idea he had shadowed forth on that occasion. He said that this question could not be dealt with in one comprehensive measure. The Government had given what time it could to measures of this kind. He had stated, and he would now repeat, that he did not think it was his duty to lay down propositions, or to sketch out plans of reform which he had not the means of putting into shape or of bringing before the House in a practical way. He could show that every one of the Acts which had been passed under his guidance, affecting local administration, fitted in with a larger plan of dealing with local areas upon a more comprehensive footing. He should be most glad as time went on—if he was permitted to do so—to give effect to those views. He was so little at variance with his hon. Friend, both as regarded the principal suggestions he had made, and as regarded the language of the Resolution, that he must again say he felt he could not ask him to withdraw his Motion. As he understood his hon. Friend, however, he had no wish to press the Government immediately to embody the spirit of his Resolution in a Bill; nor did he wish the Government at once to sketch out a plan of the reforms which would be necessary in order to meet his views. He would only say, therefore, that the Government would not be unmindful of what had been set forth, and that, as far as the present moment was concerned, they were willing to agree to the Motion which had been brought forward.

Mr. WHITBREAD said, he had listened most attentively to the right hon. Gentleman who had just sat down (Mr. Sclater-Booth), but he had failed to hear anything satisfactory as to what sort of County Board would be established, and when. What was to be the constitution of the new Board, and what were to be its functions? That was really the point they had now to consider. The right hon. Gentleman had gone so far as to call the proposal before the House a moderate proposal, and he had expressed his agreement with nearly all the points which the hon. Member for South Norfolk (Mr. Clare Read) had brought forward. If the Government would go so far as that, they certainly would not find in him (Mr. Whitbread) one to complain that they had brought in an incomplete measure. Now, since the speech of the hon. Member for South Norfolk, and the reply of the right hon. Gentleman (Mr. Sclater-Booth), this question might be said to have taken an entirely new starting-point. The old idea of a County Board was dead from that night. This question used to be raised at a time when the expenditure in the counties for public purposes was, with the exception of poor relief, mainly in the hands of the justices at quarter sessions. It had a meaning then, and was capable of easy interpretation. The notion, then, was to find some means of electing a few men to act with the justices, so as to save the principle that there should be no taxation without representation; and although these men, when they were elected, would find that nearly the whole of the county expenditure was expenditure which they could not possibly control, and the margin where any saving could be effected was very small; yet their appointment would satisfy the ratepayers, and take away a source of discontent which had some foundation. Whilst admitting the principle, he (Mr. Whitbread) had always looked upon a County Board of this kind as a theoretical rather than a practical matter, and had sometimes regretted that it was dragged in between Parliament and other more important measures affecting local government. Whatever force there might have been in the demand for a County Board limited to the transaction of county business other than the administration of justice and the maintenance of order, that force had certainly not been increased by recent legislation, and even bade fair to be further diminished. The increase in Treasury grants for police, the prisons taken over by the central authority, rendered it hardly too much to say that by the time such a County Board could be brought into existence the work which it was to perform would have been entrusted to other hands. But, whilst the matters over which the county justices had control, other than the administration of justice and preservation of order, had been rapidly encroached upon by the central government, Parliament had created new authorities for special purposes of local government, and had now established those authorities—namely, the sanitary authorities—in every part of the land. They were authorities endowed with vast powers of taxation. They had committed to their charge various and most important duties. Their expenditure, unlike that of the county justices, was for the most part, governed only by their judgment and discretion, and was not marked out for them by legislation. For many purposes those authorities each in their separate areas could act singly and well. For other purposes it would tend often to economy and efficiency that a combination for special purposes should take place between two or more of them—for example, in the case of works for sewerage, drainage, or water supply. For all purposes it would be desirable that representatives from those primary areas of local government should have the opportunity of meeting together for consultation and mutual information at one Board. It was clear, then, that Parliament could not now be asked to establish a county representative Board to deal with the fragments which had been left to quarter sessions, and at the same time to give this Board no relations with those new authorities within the county who for nearly all the purposes of local government, except the administration of justice and the maintenance of order, were the real powers—the powers who could tax, expend, and administer. If, however, the new County Board was to be placed in relation with the local sanitary authorities, as well as with the county justices, we were brought face to face at once with the question of the areas of local government. The county proper to which the jurisdiction of the justices was confined was not the same thing, or nearly the same thing, as the union county, over which the sanitary authorities bore sway, and in some cases they differed widely. Without going further into detail, it seemed that this necessity of bringing the boundary of the union county to agree with the boundary of the county proper must alone open up the question of the areas of local government; and he (Mr. Whitbread) confessed that one of the strongest motives he had for supporting the Motion was that he was firmly convinced that whoever now took up the formation of a County Board would be met with this question of the complicated and overlapping areas of local government, and would have to go deeper down and start by simplifying his areas before he could construct his County Board. The complication of the areas gave occasion for the multiplicity of authorities; and if the effort to create a County Board necessitated the rectification of areas, they would have advanced a long way towards that goal which many desired to reach—a goal which must undoubtedly be reached by stages, and not at one bound, when for all purposes of local government, as far as might be possible, they would have but one area, one authority, one election, one budget of annual receipt and expenditure, one rate, and one debt. Until they had made some approximation to that state of things it would be impossible to convey to the ratepayer a clear perception of the state of affairs of the locality in which he lived, or to enable him to make his voice heard with due effect in their management. Then there was a larger subject connected with local debt, upon which he preferred to rest his case for urgency in the matter, and he could prove it from Returns which had been already presented to the House. There was, it was true, some difficulty of getting at a correct idea from these Returns, because many of them were in arrear, and few were calculated to the same period of the year, yet there was a possibility of getting a notion of the existence of a startling state of things. But, taking the whole of England and Wales, and including the metropolis, he would state the result of a comparison between value and indebtedness between 1871 and 1875. In the first-named year, the rateable value, excluding items rather belonging to property than to rates, such, for example, as harbour works, tolls, and so on, was £107,000,000, and in 1874-5, £120,000,000, or an increase of 12 per cent. That increase, however, was not so much an increase of value as of valuation, and it was in great measure accounted for by the fact that the valuations had been screwed up. The outstanding local debt in 1870-1 was £38,000,000; and in 1874-5 it had risen to £64,000,000, or an increase of 69 per cent; but, as some necessary reductions must be made for amounts included in the Return for the latter year which did not appear in the former year, he calculated that the net increase had not been less than 53 per cent. If they turned to the urban districts, they would find a more startling state of things. The rateable value of urban districts, exclusive of London, between 1871 and 1875, increased 10 per cent; but the rates in the same period increased 103 per cent, and the charge for debts no less than 165 per cent. These figures, he thought, showed what he had called a startling state of things, and should not be treated in the light and airy manner which the right hon. Gentleman opposite had adopted. In July of last year his right hon. Friend opposite, comparing the local debt with the National Debt, said that the Public Debt was, in round numbers, £750,000,000, or a ratio of 10 to 1 as compared with the annual revenue of the country, while the local debt charged on the rates was £60,000,000, or only 3 to 1 as compared with the amount of the rates. But this involved fallacies, for his right hon. Friend, in estimating the income from the rates, lumped together the urban and the rural districts, whereas the debt was almost entirely saddled on the urban districts. The comparison should have been made between the debt and the value upon which it was saddled, and, roughly speaking, while the charge of the National Debt, as compared with the national income, was less than as 30 to 75, that of the local debt, as compared with the rates, was as 40 to 75. In fact, while the National Debt was stationary or diminishing, the local debt was increasing with giant strides. He might be told that it was being paid off. [Mr. SCLATER-BOOTH: Hear, hear!] Yes; but it was being put on more heavily with another hand. It was quite true that a great deal of the local debt was incurred for useful, permanent, and remunerative public works, especially in and around large towns, and he had no great fear of this species of increasing burden. What he did fear, however, was the debt now being created in the smaller districts. In large towns the works were undertaken under the supervision of competent engineers, carried out with every regard to economy, and on the most approved scientific principles; but those in small rural districts were sometimes undertaken without any such precautions, without concert, and often completed at a cost greatly in excess of their value. That was especially the case among small rural authorities who were in the habit of undertaking works, which could be carried out as cheaply again by two or more uniting. They had not hitherto borrowed very largely, but they had not long possessed these powers. Villages were not now content with the water supply of their ancestors, or with their systems of drainage. The probability was that these authorities for one object and another would begin before long to spend very largely. County Boards were wanted to be a link in the chain, but it was not county finances, but Union finances, and sanitary finances, where they would find the difficulty to be faced in the future. It was necessary to provide some proper machinery for regulating these charges, and he considered that the present time was most opportune for taking some step of that kind. Many domestic questions were arising, and the longer some remedy was delayed the greater would be the difficulty of adjusting the charges. He did not deny that during the life of the generation which was now passing away there had been necessity for some centralization, in order to get the new ideas of public provision for the health and comfort of the people carried into effect. Thirty years ago those were the ideas of a few thoughtful men, but their words found an echo in Parliament, and their teaching had been accepted, and had taken deep root in the country. It was now time to reverse the process, and to take power from the centre and give it to the locality. A good deal had been said respecting the dignity of local government, but he did not see how that dignity could be maintained by simply creating a local Board with a high-sounding title. The only way to give dignity was to provide additional work, and grant means of executing it. There was plenty of work to do, and plenty of men willing to do it; it remained only for Parliament to mark out and allot the task.

MR. J. R. YORKE said, he quite agreed with the last speaker that plenty of work was necessary, and there certainly would be plenty of work found for this body. There would naturally be an accretion round it of all those subjects which at present were imperfectly administered by the local Bodies, and in that respect it would be found a most valuable addition to the system of government by planting itself between these smaller Bodies and the influence of the central Board. He therefore thought it most desirable that a good understanding should be established between those Bodies and the Board. The hon. Gentleman had said that the question used not to be a practical one. No doubt, it was not, in the days of the first agitation on the subject, for that agitation had its origin in ignorance. The local taxpayer was only aware that for some reason or other the burden he had to bear was too heavy for his powers, and, further, that it increased year by year. He was

> " An infant crying for the light,
> And only in the language of a cry."

It was not until the hon. Baronet the Member for South Devon (Sir Massey Lopes) had succeeded in eliciting figures which enlightened him, that he understood how little it would avail him to have such a Board as it was now intended to constitute if 80 per cent of the revenue was administered under statutory and Ministerial direction. It appeared that instead of there being any conflict of opinion between the two sides of the House on this question, on the other hand, now that they had found a subject upon which they could agree, their "unanimity was wonderful." Not only could they concur that it was desirable to constitute a Board, but that the time was particularly opportune for doing so, and that the difficulties which might have existed were being smoothed away. In 1872 the position of this question was by no means encouraging, and the country might now well congratulate itself upon the change of Government which took place in the spring of 1874. The right hon. Gentleman the Member for the City of London (Mr. Goschen) said, in 1872, that the first thing which he would introduce would be the representative principle wherever it did not already exist, and therefore he would be beginning where they were now, omitting all the intermediate benefits which the country had received. The representative system was the Alpha and Omega of what that right hon. Gentleman proposed. The scheme of his right hon. Friend behind him bore a strong resemblance to the scheme of the right hon. Gentleman the Member for the City of London; but the difference between the scheme now submitted and that of the right hon. Gentleman was that he proposed, if it were possible, to galvanize the parish into vitality, ignoring the Union, which was a more important unit of local self-government. The course, however, of recent legislation by the Government had smoothed the way to the measure indicated by his hon. Friend, to which he understood that the Government was now ready to agree. There was the Poor Law Amendment Act of last Session, which removed the objection that the Unions often overlapped the boundaries of the counties. Then the Prisons Bill would remove another difficulty, and, while relieving magistrates of duties that were of a national, rather than of a local, character, it would make it easier to distinguish between what was local and what Imperial—what should be entrusted to the magistrates, and what to the representative Boards. Then there had been large sanitary and educational powers confided to the Boards of Guardians. He did not see any tendency to extravagant expenditure on the part of rural sanitary authorities; on the contrary, it often required the pressure of the *ex officio* element to induce them to do anything at all. The concentration of certain elementary duties in County Boards would be far preferable to the chaos of jurisdictions and authorities now existing, and the infusion of the elective element would allow such Boards to act with a confidence rarely manifested by a body of nominees. A place in such an assembly would be valued be valued by young men of ability and ambition, and the assembly would be able to show a bolder front to the Local Government Board than Boards of Guardians and the present sanitary authorities could show. They had on his side of the House often been taunted by the right hon. Gentleman the Member for the City of London with the reckless way in which they accepted measures of centralization, and the Local Taxation Committee seemed to be greatly dreaded by the right hon. Gentleman; but the fact was, that while they did not deprecate centralization when it was accompanied by other advantages, they could not help welcoming the opportunity of obtaining a good provincial authority composed of the right sort of men. His hon. Friend near him (Mr. Clare Read) would gain credit not for renewing what was formerly an unpractical proposal, but for originating at the proper time a measure which contained the germs of great future usefulness, and which would before long be adopted by the House.

Mr. WHITWELL congratulated the House and his hon. Friend opposite (Mr. Clare Read) on the course which had been taken by the Government. There was one thing which it was necessary to keep in mind—the importance of keeping the administration of justice separate from local government; but the position of the House in relation to the whole subject was altered by the acceptance on the part of the Government of both the speech and the Resolution of the hon. Member for Norfolk. They wanted a great county administration, which would be very different from the present one by magistrates. Very large duties had in recent years been thrown upon the Boards of Guardians and on the Unions, and they would require considerable assistance, if those duties were to be carried out properly. Then, again, there was the question of water supply, and how best to store the rains of winter for summer use. It was a matter of political economy to preserve water not only for their manufacturing establishments and for farm lands, but for domestic use; and these were matters for County Boards to deal with. He might also refer to the Valuation Bill of last night, which, if carried into law, would in its operation be greatly facilitated by these Boards. The assessment committees had been very useful, but what they wanted were persons on them who had greater local knowledge, as there was great difficulty in properly assessing lands which were occupied by their owners. The time had come, in his opinion, when the expenditure of moneys in the counties should be controlled by those who were elected, and he would prefer that the whole of the Boards should be elected rather than have official members upon them.

Mr. PAGET regretted that that abstract Resolution had been so readily assented to by the Government—first, because he was not very fond of abstract Resolutions in general, and next, because by so quickly accepting that one in particular the Government had taken the heart out of that debate, which might otherwise have been, as from the great importance of the subject it well deserved to be, a full and complete discussion. Those empty benches spoke in eloquent terms, which made it impossible for them now to have a satisfactory or a vigorous debate on a matter which he deemed to be one of no ordinary magnitude, involving, in fact, no less a question than a great local Reform Bill. The hon. Member for Bedford seemed to think that the increase of the debt created by municipal bodies was so rapid that they wanted some central Board to control those local authorities; but it could not be imagined that the central Board which it was the object of that Resolution to establish could have any control over those municipal institutions which were responsible for the heavy and fast-growing debt to which that hon. Gentleman had alluded. This abstract Resolution contained the germs of new ideas which might become the foundations of other arrangements in the counties.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. PAGET, resuming, observed that the circumstance of the count being made was in itself a proof of the calmness which had settled down upon the subject. There was no thunder at the doors of Westminster—nothing to disturb the tranquillity of the discussion. He would do what he could to strengthen the local authority. He regarded the parish as the home of local energy, and he would rather strengthen it than blot it out by Union administration. No doubt the Union must be a large unit of any complete system of local self-government; but what he protested against was any falling down and worshipping this Union, as it would destroy what was far more essential, the unit of the parish. However, he felt bound to admit that he concurred in a great deal of what had been so admirably said by his hon. Friend the Member for South Norfolk (Mr. Clare Read). If there was any part of his statement to which he might take exception, it was that in which he spoke of the stupidity of rural authorities. His (Mr. Paget's) experience was that they were not more stupid than their neighbours. There were many matters which might very properly be entrusted to a central body existing side by side with the quarter sessions. With regard to the suggestion that the management of lunatic asylums might be intrusted to the proposed Board, he agreed with the right hon. Gentleman (Mr. Sclater-Booth) in thinking that point required further consideration. For his part, he thought a good deal of legislation would be necessary before that could be done. Why a mixed Board composed of magistrates and elected ratepayers should not be expected to work perfectly well, he for one could not see. The Contagious Diseases Acts were practically worked by a mixed Board, and in that and some other cases of the kind they had evidence that there was nothing whatever in the bugbear which had been raised on this point. He was glad to find that the Motion, interpreted as it had been by the speech of the hon. Member for South Norfolk, was one which he could accept. At the same time, he wished to hold himself perfectly free as to any detail of the plan which the hon. Member proposed.

CAPTAIN NOLAN expressed his regret that the right hon. Baronet the Chief Secretary for Ireland was not now in his place, because the question was one in which the people of that country took much interest. Two Bills dealing with the subject as regarded Ireland had been introduced last Session, one by himself (Captain Nolan) and the other by the hon. and learned Member for Limerick (Mr. Butt), and the one that was pressed to a division on its second reading was only rejected by a majority much smaller than the Government usually commanded—namely, 28. As the Ministers had accepted the Resolution of the hon. Member for South Norfolk (Mr. Clare Read), he inferred that they were not going to exclude Ireland from the benefit of the proposed reform; but if they included Ireland in the Bill which they promised to introduce, there would be inconsistency in the course they adopted last Session, and that which they had adopted that evening, inasmuch as they suggested that in Ireland some 16 or 17 little representative Boards might be established in each county, but that there should be no representation on the great central Board, which the Grand Jury might very well be called. It was clear, however, that those small Boards would be powerless for various reasons against the larger body; but no hope had, notwithstanding, been held out by the Government that a County Board would be created in Ireland on any representative or elective plan. The terms of the Motion were such as would lead many of the people of Ireland to hope that that country would be included in this, which he would call a small Reform Bill. The Representatives of Ireland would be very much wanting in energy and almost in good faith to their constituents if they did not press this proposal on every occasion, and he, in those circumstances, would like to hear from the Government whether that country would be included under the provisions of the Bill which would be brought in to give effect to the views embodied in the Resolution of the hon. Member for South Norfolk. Although the Irish Members might not be satisfied with it in every respect, they would be hard to please if they did not regard it as much better than the system now in operation. England was behind every other country in Europe, not even excepting Russia, in the matter of representation exercised by the ratepayers as concerning local expenditure; but Ireland was much behind England. That was not the fault of the Irish Members, who were anxious to alter the system by which the sheriff selected the 23 gentlemen who were charged with transacting the county business, a system which was literally created by chance, because 200 years ago there was no one to undertake the duties now proposed to be given to County Boards but the Grand Juries. The cesspayers of Ireland would not, however, be satisfied with any measure that did not give them fair representation in a central Body, where the real power was always to be found.

Mr. CARPENTER-GARNIER said, he was glad that the Government had accepted the Resolution of his hon. Friend the Member for South Norfolk, and that they intended to bring in a Bill to carry out his views. He was in favour of the principle of the Resolution, but did not agree with all the details of his hon. Friend's proposal. Thus, instead of the magistrates constituting one-third of the central Board, he thought they should comprise at least one-half of it. He also considered that if a really good central Board were established, there would be small work left for the quarter sessions, and it would be better then to hand over the police and the county buildings to a well-constituted County Board. The care of lunatics was an important matter connected with the ratepayers, and it was but right that they should have some voice in the management and maintenance of the asylums, and it was his opinion that they should be handed over to County Boards. Generally speaking, he was very much in accord with the Select Committee of 1868—that direct representation in county finance was just and reasonable and ought to be granted. He could not see why county ratepayers should not have a voice in the expenditure of the rates as well as borough ratepayers, although he agreed with his hon. Friend (Mr. Clare Read) that the existing administration of the funds by the magistrates was deserving of all praise. Since the establishment of Chambers of Agriculture the expenditure of counties had been fully discussed, and it was generally understood that very little discretion was left the magistrates in the matter, so that there was not such a cry now as there was 10 years ago for County Boards, but still there was a strong desire that they should be established, and that the ratepayers should be represented on them. If the Motion had proposed that the Boards should be wholly elective, he could not have supported it, but reserving to himself the fullest liberty with regard to details hereafter, he had much pleasure in supporting the Motion.

Sir WALTER B. BARTTELOT said, the Resolution was one of a very plausible character, and had been brought forward in a very able speech. His hon. Friend the Member for South Norfolk (Mr. Clare Read) had stated distinctly his views and his opinions upon the question, and he had laid down clearly and definitely what this Board ought to be. He had placed it in as fair a point of view as anyone could have wished it to have been placed; but he had failed, as every hon. Member must do in bringing forward such a Motion, to give any guarantee that those views and those opinions which he had enunciated would be carried out. After all, however, it was only a bald and naked proposal to do something with regard to establishing a County Board. It was, in fact, only one of those abstract Resolutions which might sometimes have done good service in that House, but which it was generally a most unwise course to pursue, as had been repeatedly admitted by both front benches. He thanked his hon. Friend for the manner in which he had spoken of the magistrates, but whatever his hon. Friend might say, or had said, he must point out that the Resolution was another kick against that humble body which, after all that had been admitted by both sides of that House, had not done bad service to the country. He agreed with the premises of his right hon. Friend's speech, but was at a loss to arrive at his conclusions. The proposal of his hon. Friend the Member for South Norfolk had as yet met with universal assent. It was, of course, very easy to assent to a thing in an indefinite shape; but, for his own part, he (Sir Walter Barttelot) liked to see what he was going to vote, and to be able to discuss fairly all the provisions which ought to be contained in a Resolution of this kind, and which he should have liked to have seen embodied in a Bill. His hon. Friend the Member for South Norfolk had, as he had said, brought his Resolution before the House in a most able speech; but he had put forward three great defects that would arise should his proposal be carried out. His hon. Friend had said—"Only establish this Board, and then we will find it plenty of work to do." That, however, was an objectionable course to pursue, and in his (Sir Walter Barttelot's) own humble opinion, they ought to have the work to do first, and then to establish the Board after. The hon. Member, in the second place, said that he would not deny that the working of these Boards would be more expensive than the present system, and if that be so, he (Sir Walter Barttelot) wanted to know how his hon. Friends the Member for South Norfolk and the Member for South Leicestershire (Mr. Pell), who had so long and so earnestly and rightly endeavoured on all occasions to put an impediment in the way of increasing local taxation, could reconcile the establishment of County Boards, which would entail increased local cost, with their former conduct in reference to local taxation. His hon. Friend had admitted also that the magistrates had done their duty, even to parsimony, with a view to secure the best work at the least possible expense, and there could be no doubt but that the compliment was fully merited; but had he calculated what would happen when hon. Gentlemen opposite came into office? The representative Boards and the county magistrates would then be much like two cock-sparrows sitting in one bush. They would fight for the control of the county rates, till the stronger of the two would prevail, and the existence of two such Bodies would be a strong argument that one authority should have the expenditure of the whole of the rates. There were several urgent reasons why the House should not rush rashly into a Resolution of this kind, and he was rather surprised at the course which his right hon. Friend (Mr. Sclater-Booth) had taken that evening in accepting its principle. When he met his right hon. Friend, whom he considered his bosom Friend upon this question, that morning he was led to believe that a very different course would be pursued by the Government; for his right hon. Friend said to him—"I hope somebody will think of the poor magistrates," or words to that effect. Yet now, after showing, step by step, how the necessity for any such measure had vanished, he said, at the end of his speech, that he hoped at a convenient time the Government would be able to do something in the same direction. The course of the Government must have been altered since the morning; otherwise he had been brought down under false pretences, for he had received an urgent summons from the Government Whip on this question, stating—"A division will certainly be taken, and your attendance is most earnestly and particularly requested." Now, when action was invited in a case of that kind it was generally supposed to be against the Resolution. Such was the state of things in the morning, but a change had come over the spirit of the dream, and there seemed to have been an instance of sudden conversion of the Ministry. Nor would one have expected the right hon. Gentleman to take such a course after what he said in connection with the Highway Bill last year. The House would remember the two proposals contained in the Bill—one with regard to where there were highway districts; the other, where the parishes maintained the roads. In the latter case, the magistrates alone were to decide what roads should be paid for partly by the county and partly by the parish; while, in the former case, magistrates and members elected from the Highway Boards were to be the authorities to decide. His right hon. Friend had not ventured to place in the Bill that there were to be highway districts all over England, knowing that it would have been impossible to carry out such a system against the feeling of the country. Now, he should be glad, if a necessity occurred, and the thing could be done fairly and properly, to have associated with him men whom magistrates were accustomed to meet on Boards of Guardians and elsewhere, for you could not meet them without receiving great instruction from such men. But he thought it would have been far better if his right hon. Friend had said—"I have great sympathy with your Resolution; I am not, however, at this moment prepared to say that we can carry out such a proposal, but we will give it fair and reasonable consideration." Not a bit of it. The Government had accepted the proposal; it would be placed on record; and he feared it would be one of the greatest scourges they had prepared for themselves for a long time, and to his right hon. Friend the President of the Local Government Board in particular, because he (Sir

Walter Barttelot) knew full well that he was neither able nor wishful to carry out the Resolution. But his hon. Friend (Mr. Clare Read) would never let them alone till they had carried it out. If, indeed, the result of adopting it were decentralization, he should be more favourable to such a proposal, but he knew that when a Government Department got hold of anything, a terrible wrench was necessary to tear it away, and he despaired of any such result here. No doubt, if you could combine authorities, it would be better, but the difficulty was to make them combine. He knew there was a class of men in the country whose ambition it was to get one central authority, not in the interest of the locality so much, as in the hope of being heard there at any length. He hoped that when this central authority was established, as much time might not be wasted in talking as in that House. He had always thought it a great thing to have a broad, a solid, and a sound foundation. But what had they got now? They were going on a castle in the air to put a tremendous coping-stone. He agreed with the hon. Member for Bedford (Mr. Whitbread) that we had first to re-arrange, re-organize, and settle all those small local authorities with which we had to deal. No doubt we had gone a long way in making the Boards of Guardians our model, but there was a great deal more to be done before we could put the coping-stone on. He did not mean to say, when we had got the foundation, that something like his hon. Friend's Resolution might not be necessary to give to local people and local authorities an interest in all that concerned them. Up to the present, however, he must say he had never heard a single complaint against the administration of the funds now entrusted into the hands of the magistrates. But before we could settle this great knotty county question, we must first of all establish that which would give stability to our local institutions and give an interest in them to men of all classes and conditions, and then, when we had cut out the work and seen what was to be done, we might put on the coping-stone—not, perhaps, altogether in the way his hon. Friend would wish, but by the establishment of an authority which would be respected throughout the length and breadth of the land.

Mr. RATHBONE confessed that the speeches he had lately heard left him in a complete state of uncertainty and mystification as to where they were, and he was more especially so after the speech of the right hon. Gentleman the President of the Local Government Board. The right hon. Gentleman had accepted—and he (Mr. Rathbone) was certainly astonished in no slight degree to hear him say so—as most moderate, a proposal which, if coming from that (the Opposition) side of the House, would be regarded as most Radical, sweeping, and dangerous. The hon. Member for South Norfolk (Mr. Clare Read) proposed a central Board whose business it would be to grasp in its own hands functions from the various local bodies. A County Board would be necessary for combining the working primary local bodies of a county, but by itself it would do nothing to diminish the burden or inequalities of taxation or remove the anomalies of which we complained, and his own opinion was, that while admitting the proposal would very much save the pockets of the ratepayers in regard to highways and lunatic asylums, the reform of local institutions should be dealt with in a more comprehensive measure. The attention of Parliament ought first to be directed to improving the primary local areas, or at least the matter ought to be dealt with as a whole, nor should the difference between urban and rural authorities be altogether forgotten. They undoubtedly required in any scheme of improvement to endeavour to utilize the present machinery, and in addition to that there should be an amalgamation and strengthening of the local bodies if local Boards were to be successfully improved. By delaying reform in that direction, they were putting fresh difficulties in the way of the final accomplishment of the great object they had in view. Their first point should be the simplification of areas and the establishment of a satisfactory constituency for the County Boards. The case of Liverpool was a remarkable instance of this want of simplification of areas. The town included or extended into three Poor Law areas. Those areas included two municipal boroughs and 11 local board districts, and are under the management of no less than 21 different Governing Bodies. Enormous powers for raising and expending money had already been conferred on these primary local authorities. By one Act they had given to the sanitary authorities not only powers of unlimited taxation, but power to borrow millions of money without coming to Parliament. Nor were those bodies slow to avail themselves of these enormous powers. Owing to the present confused areas and the multiplication of spending authorities, it was impossible for the ratepayers to exercise proper vigilance to check the expenditure, and he ventured to assert that if the country knew the great sums of money they expended, and the enormous increase in the rates, they would unanimously call on the Government to put an end at once to the system. The expenditure would be less in amount but probably felt to be quite as burdensome in rural as in small urban districts. The longer they put off the simplification and reform of these areas, the more difficult would the work become, and it was absurd to attempt to guard against the imperfections of our local authorities by the impotent and irritating control of a central authority; and yet every measure the Government introduced displayed a tendency to centralization, and to impair the real vitality of local administration. His strong convictions on this subject had been forced on him year by year in his attempt to find practical remedies for practical evils. He thought they should lose no time, and not be actuated by the calm optimism of the right hon. Gentleman the President of the Local Government Board, but set to work at once and endeavour to remedy an evil which was every day getting worse and worse, and growing stronger and stronger. This policy should not be persisted in, and steps ought at once to be taken to give ratepayers in counties some power of controlling expenditure.

MR. PELL said, the hon. Member for Liverpool (Mr. Rathbone) began his address by describing the confusion in which the House had been left by the speech of his right hon. Friend the President of the Local Government Board, but he (Mr. Pell) thought the confusion had been worse confounded by what the hon. Member had himself contributed to the debate. It was impossible to say whether or not the hon. Member desired to see the Motion his (Mr. Pell's) hon. Friend the Member for South Norfolk (Mr. Clare Read) had so ably moved carried into effect, or whether he wished to introduce some plan of his own applicable to boroughs, not to counties, less definite and precise than that now before the House. Be that as it might, they could see that the hon. Member's speech was more in favour of the Motion than against it. If that was so, a remarkable interest had been given to the debate by the speech of his hon. and gallant Friend behind him (Sir Walter Barttelot). That speech was delivered with all the boldness, precision, and determination which they generally found his hon. and gallant Friend so eminently displayed when he, so to speak, headed a forlorn hope, but it was the only speech already delivered distinctly in opposition to the Motion now under consideration. But he did not think his hon. and gallant Friend had raised any very serious objection, or suggested any very great difficulty in carrying out the proposal which had been introduced by his hon. Friend the Member for South Norfolk. He had talked about "two birds sitting in one bush," and what came of it in the way of quarrelling. But he would remind his hon. and gallant Friend of another proverb—"Birds in their little nests agree." He confessed that the objection suggested by his hon. and gallant Friend of the incompatibility of two such authorities as the justices and the new Board agreeing upon the money question seemed a weak one. Nothing was more easily adjusted than the money question. The magistrates had left to them great and important functions, in the exercise of which money would be wanting; but they had not now their own rate collector, they only issued their precept, and would continue to do so, which he (Mr. Pell) ventured to say would be obeyed, and all would be carried out as readily as before. His hon. and gallant Friend talked of his objection to local Parliaments and local orators. It was certainly sometimes disagreeable to listen to the oratory of local Parliaments; but it was also sometimes irksome to listen to the oratory of other Parliaments. For instance, it was very irksome to listen to many of the speeches delivered in that House, but how could a man better prepare himself for an Assembly like that than by beginning to address his fellow-citizens in the district to which he belonged on subjects of local interest? The Motion, if adopted, would give new duties, new ambitions, to a class of men who had had very little opportunity of doing such services as they were qualified for. Those who considered how the Boards of Guardians had had to perform very difficult duties since 1834—to check pauperism, for instance—would understand that it was not desirable to overweight them by imposing on them other duties discharged by local Board. That, he thought, was one of the principal arguments in favour of this Motion. He thought his hon. Friend the Member for Bedford (Mr. Whitbread) and the hon. and gallant Member for Galway (Captain Nolan) would have done well if they had been on the Local Taxation Committee. If they had done so, they would have known—at all events, the hon. Member for Bedford would have known—that in 1873, he (Mr. Pell) introduced a Bill for the purpose of compelling an annual Return to be made of local expenditure up to a certain day. He carried that Bill to Committee, but he had to encounter opposition from the Manchester authorities—not so far from Liverpool—who declined having their accounts reduced to anything like order and uniformity. With regard to an observation of the right hon. Gentleman as to the difficulty connected with the management of lunatic asylums, this fact might be mentioned that the Metropolitan Asylum Board had under their direction 4,000 lunatics, and that there were very few magistrates on the Board. The new Board would be of enormous advantage in sanitary matters. Out of the vast sums already expended, too much had been spent in drugs and medical matters, and too little on drain pipes, cleanliness, and structural reforms; but a great County Board would put a stop to that sort of thing; commanding engineering and surveying ability, with the cheapness consequent on the employment of officers for a large district. They had at present a sanitary authority and a highway authority. It would be better to relegate all such matters to a county authority, and deal with that vast question, the highway districts, about which he thought there was a vast waste of money. This might be checked, and the necessary grants, if any, made from a county rate given on efficient local administration. The tramway system, again, was endeavouring to stretch into the country, and here again the Board might be useful, for railroads had done little for agriculturists *quâ* agriculturists, either by bringing the town refuse into the country, or by taking the country produce to the towns. The question of cattle disease might be passed over without any remarks from him, but he thought that there was a little friend called the Colorado beetle who was uncomfortably near us, and who was likely to prove a mischievous fellow, whose movements might, perhaps, quicken those of the right hon. Gentleman. In case of his arrival no authority was so likely to deal effectually with this little friend as the proposed county Boards. The subject of the registration of voters he would also pass over, but he could not sit down without mentioning the question of education. In reference to that subject, he could not forget that one of the recommendations of the Duke of Newcastle's Commission was, that Provincial Boards should be established to deal with endowed charities. That proposal, which had not been referred to by the right hon. Gentleman, proceeded to sketch out what the constitution of the Board should be for dealing with that subject. It must be recollected that the smaller these charities were, the more waspish and the more difficult they were to deal with. People who had the management of such charities and had a hand as well in the distribution of a certain number of blankets and other comforts did not like to have their power stolen from them by those who they looked upon as midnight thieves from Whitehall; but, if the control or supervision of the charities were given to their neighbours and friends sitting on these Boards, they would have less objection to such interference. This change might be very well accompanied by the appointment of county auditors, who might also audit the county voluntary charities. In that way the whole of those affairs might be managed by county people and by county pay. He was afraid to touch upon the question of the Poor Law, otherwise he should have to keep on talking all night; but a small Return from his own county satisfied him that upon no point would the Motion of the hon. Member be more beneficial than upon reform in reference to the subject of in-door relief in counties. The condition of poor sick persons in one of the well-managed workhouses in London or in the district infirmaries was very different from that of the same class in country workhouses. It was, however, impossible that they could afford for a few sick and imbecile persons in country workhouses the same advantages that could be given to the numerous inmates of larger institutions. At the same time, there would be no occasion to build houses for their reception, in the event of a change such as he contemplated being carried into effect, inasmuch as there was a vast amount of brick and mortar lying idle at the present moment which might well be put to good use. In the rural parts of the county of Leicester there were 11 Unions, affording in-door accommodation for 3,415 paupers, while the average number of inmates in them for the year 1875 was only 1,477; the maximum number of inmates on the 1st of January in the years 1850, 1860, 1870, 1874, and 1875 being 2,122, thus leaving empty beds, empty wards, unoccupied servants and attendants for about 1,300 persons, and he thought this spare room ought to be occupied in some way. If a County Board were established for his county, they would be able to put these premises to some better use, the people would receive better treatment, the children would get better schooling, and the sick would be better nursed than at present. Turning to the question of the saving of expense, he found that at present there was an expenditure in salaries alone in Leicester for the different Boards of £14,233, and he thought he saw his way to considerable economy in that direction. No doubt, vested interests would have in the first place to be considered, but there ought not to be an expenditure of so large a sum in the distribution of £141,000. If he might make a suggestion to the right hon. Gentleman the President of the Local Government Board it would be that he should lay a Bill on the subject on the Table of the House before next August, not with the view of its passing during the present Session of Parliament, but in order that it might be carefully considered and discussed during the Recess. In conclusion he could hold out the hope to the Chancellor of the Exchequer that if these County Boards were established, as he hoped they would be, the Local Taxation Committee, which now sat in a melancholy room overlooking the Embankment, might possibly be dissolved, and he should in that case cheerfully and thankfully exchange his honourable position as Chairman of that Committee for the more humble one of a member of the County Board for the county of Leicester.

MR. STANSFELD said, he cordially agreed with one remark which had been made in the course of the debate by the hon. Member for Mid-Somerset (Mr. Paget)—namely, that it was somewhat a disadvantage that the right hon. Gentleman the President of the Local Government Board should have spoken so early in the discussion. The right hon. Gentleman had certainly expressed the intention of the Government to accept the Motion of the hon. Member for South Norfolk (Mr. Clare Read); but the disadvantage which had been spoken of had been somewhat aggravated and intensified by the uncertain tone of the earlier part of the right hon. Gentleman's address. He must, as his first duty, tender his thanks to and congratulate the hon. Member for South Norfolk for having brought the subject forward. The right hon. Gentleman opposite had called the hon. Member's proposal a moderate one. He had been delighted to hear that expression of opinion on the part of the right hon. Gentleman, as representing Her Majesty's Government; and, so far as those who sat on the Opposition benches were concerned, he could assure the right hon. Gentleman the President of the Local Government Board, that they regarded that proposal as not only moderate, but as comprehensive, and that hon. Gentlemen opposite were mistaken and laboured under unnecessary fear if they thought that those on his side of the House had more revolutionary, but less practical schemes, to bring forward on the subject. He would now address himself for a few moments to the remarks which had fallen from the right hon. Gentleman. In the first place, he could not entirely agree with the right hon. Gentleman's historical review of the question. The right hon. Gentleman had commenced his observations by referring to the proposals made some 25 years ago, and even before that date, for the establishment of County Financial Boards for the conduct and management of the financial business of the various counties. The right hon. Gentleman said that since the time to which he was referring a great number of events had occurred in the course of legislation—and among others the institution of Unions, the Sanitary Acts of 1872, and the Education Act of last Session—to prejudice the question of the institution of County Boards. With regard to the last point, the right hon. Gentleman expressed regret that under it educational functions had been conferred on the sanitary authorities.

Mr. SCLATER-BOOTH: I expressed surprise that the very important principle involved did not attract more attention in the House.

Mr. STANSFELD said, that the Education Act was, at all events, one of the category of legislative events, which had combined to prejudice the County Boards question. His (Mr. Stansfeld's) view of the matter, however, was entirely the reverse of that which had been expressed by the right hon. Gentleman. The agitation was first started for purely financial Boards; but it was started under a mistake, and he believed that the course of time and the progress of legislation—and, especially, the concentrating upon Unions and upon Boards of Guardians of all the various functions which had been described, down to and including the educational powers conferred upon them by the Act of last year —pointed to the necessity for the creation of a comprehensive scheme of local government by County Boards, as was suggested by the hon. Member. He was convinced that, upon both sides of the House, and throughout the country generally, every man with any knowledge of the subject would now be prepared to admit that the administration of the common funds by the magistracy had been an economical administration; and it was not in the interest of economy, but in the interest of something which, though not antagonistic, was, at any rate, different—in the interest of local government and administration; in the interest of efficiency; and, he would add, in the interest of decentralization—that it had now become important to create County Boards. So far from the question of the establishment of such Boards having been prejudiced, it had, in his opinion, been magnified by the course of time and the progress of legislation. The modern conception of County Boards was that they were no longer to be merely financial, but administrative as well, and that that body would by degrees and in time grow and attract to itself other functions. That was the modern idea of these Boards, and it was hoped that they would become the federating bond of those other Boards which could not stand by themselves against the centralizing tendencies of the day. We wanted to crown the edifice of local self-government which had already been built. What was the history of the matter? He would not in answer to that question go back further than 1871. In that year two proposals were made by his right hon. Friend the Member for the City of London (Mr. Goschen) respecting which the hon. Gentleman the Member for South Norfolk had told the House they were limited to the notion of having financial Boards, but that was an entire misconception. The fundamental idea of the measure of 1871 was that there was a necessity for a different re-organization from the parish upwards, and for not merely financial Boards, but for County Boards in the modern and greater sense.

Mr. CLARE READ explained that what he said was that the question had passed out of the hands of private Members into those of the Government.

Mr. STANSFELD said, he was merely showing, as an act of justice to the late Government, that the modern idea was exhibited in their measure of 1871. He followed his right hon. Friend, and began by introducing a Bill to constitute the Local Government Board. He only referred to this to show the policy which was indicated at that time, though it could not be fully carried out. That policy was to unite in one Government Department the Poor Law Board and a Board for all sanitary matters. Well, in 1872, he introduced the Public Health Bill to constitute, as the units of government throughout the country, rural and urban sanitary authorities, and those were the units of local government which his right hon. Friend expected to work upon. He (Mr. Stansfeld) had always maintained that these were the future units of local self-government, and that they had to build up through them and the Unions, the county government which the hon. Member contemplated. In 1873, which was not a favourable Session for legislation on the subject, the Government began with the Irish University Bill; but, that Bill having been withdrawn about Easter, he laid on the Table three Bills—for Rating, Valuation, and Consolidated Rating—and he moved for a Committee upon the boundaries of parishes and counties. Well, what had happened since? His right hon. Friend (Mr. Sclater-Booth), coming into office in 1874, took up the Rating Bill, which he (Mr. Stansfeld) did not pass through Parliament, because it was rejected by the House of Lords. In 1876 his right hon. Friend brought in a Valuation Bill—the second of the Bills of 1873; but the Consolidated Rating Bill they had not yet seen, though he (Mr. Stansfeld) did not despair of its being introduced by the present Government. These Bills, however, his right hon. Friend treated as merely being the fringe of the question of local organization throughout the country, and indeed he (Mr. Stansfeld) remembered in introducing them himself he so described them, and the word stuck to him for the whole of the Session. He might safely refer to it, for even now, after an interval of four years, the right hon. Gentleman was still engaged upon it, and had it not been for the Resolution of the hon. Member for South Norfolk that evening he thought there would have been a very poor prospect of his getting beyond the fringe. In due time now, however, the hon. Member for South Norfolk would get the body and bulk of the work. In regard to the speech of the right hon. Gentleman he (Mr. Stansfeld) was bound to admit that he thought there was an uncertainty in his tone, and that he threw cold water upon the Resolution of the hon. Member; and he further confessed that it was with no little surprise to himself and the House also, that he found that the right hon. Gentleman at its conclusion accepted in its entirety the Resolution as interpreted by the speech, which he called a moderate speech, and embodying a moderate proposal. The right hon. Gentleman, however, evidently felt the difficulty of preparing a comprehensive measure which should solve the question in one Session, and he, for one, quite acknowledged the difficulty. It was impossible to suppose the right hon. Gentleman did not look forward to the fulfilment of the promise of his speech, or that he had given anything like a doubtful or half-hearted assent to the Resolution upon which he had declined to divide the House, and he (Mr. Stansfeld) was bound to suppose that the consent of the Government had been given not to a mere financial Board, but to an administrative Board, for the hon. Member for South Norfolk had said he would give to the Board everything except that which ought to be left with the justices—namely, the administration of justice. He proposed to hand over to the County Boards the management of lunatic asylums, cattle disease, bridges, county rates, valuations, the appointment of medical officers, highways, roads, sanitary engineering, and the classification of workhouses, arterial drainage, the storage of water, and the management of educational endowments and charities. Now, that he (Mr. Stansfeld) called a comprehensive, and not merely a moderate proposition. He would be perfectly frank with the right hon. Gentleman; and as it was believed that on that side of the House they entertained views much more extravagant than had been expressed by the hon. Member for South Norfolk, he would state generally the terms and what he believed was the problem to be solved. The problem was to organize the local government of the country, and that was a problem to be solved by the creation of the County Boards. The tendency to centralization was one of the strongest tendencies of the age in which we lived. He was not entirely satisfied to yield to it; but at the same time he was not so unwise as to regard this tendency as something altogether evil. It had a justification in the altered conditions of our social life and the rapid means of transit. All this created a demand for more legislation, more administration, and for more government. All this, of course, inevitably tended to centralize the administration. It had, however, one injurious consequence—it tended to sap and undermine the vitality of local government and local life. It destroyed its dignity and independence, and it made it more and more difficult to get the best and fittest men to give their time and labour for the purpose. That was a great evil, which, if possible, they ought to remedy; and they could do so in only one way, and that was, as the hon. Member for South Norfolk suggested, to enlarge and strengthen, to consolidate and dignify, the conditions and functions of local government throughout the country. How could they enlarge, dignify, and consolidate the system of local government? They could do it first by simplifying local government. That should be the object and aim of the work, and it appeared to him that the principle upon which they should seek to simplify it was clear. He did not say they could adopt the principle all at once, but the principle was this—to concentrate, as far as it was practicable to do so, all the functions of local government upon a single Governing Body in a single area, supposing that area was fit for the performance of its functions. He, for one, made no objection to the legislation of last Session, which placed the responsibility of carrying out the Education Act upon Boards of Guardians; and in the future local government of the country the tendency in men's minds would be to aggregate all the functions in one body and in one area. If they were desirous of fortifying and defending the system of local self-government they should build it up from the sanitary unit, through the Unions of the county, and make the county the federative bond of those minor authorities. They would then give a strength to local government which would enable it to hold its own against the centralization of the times which no defence of parochialism could give. That was his conception of the future of local government, and he believed that the institution of County Boards would greatly help the attainment of the object in view. He thought it was a matter of urgency that a County Board should be created, because the determination to create such a body would cause them to view more largely the whole problem of the organization of local government, and would influence all future legislation bearing upon that problem. To sum up in one word his argument, he would say, having established County Boards, let them grow, and they would tend, both in administration and in legislation, to redress the unequal balance of Imperial and local interests, and would, so to speak, change the centre of gravity of that unequal balance, and change it in favor of local institutions, local liberty, local management, local independence, and local life.

Mr. Stansfeld

Mr. HUNT said, he thought the question brought forward by his hon. Friend the Member for South Norfolk (Mr. Clare Read), had made a great advance in the discussion that evening. For the first time in his recollection of the history of the question, the two sides of the House had been brought very nearly together with respect to the principles that ought to be adopted with respect to local legislation. His hon. Friend might, he thought, be very well satisfied with the fact that both the present and the late President of the Local Government Board had vied with one another in complimentary epithets as to the proposals his hon. Friend had made. If they had not selected the same epithets, they had made their selections each from his own point of view. His right hon. Friend the President of the Local Government Board described the proposals of his hon. Friend as moderate. The right hon. Gentleman opposite (Mr. Stansfeld) had described them as comprehensive; and for his part he (Mr. Hunt) thought they might be described as both. They were comprehensive in their scope, and upon that ground he made no objection to them; and, on the other hand, they were moderate, for they suggested no violent method of dealing with the subject, but recommended that it should be treated gradually and according to circumstances, and his hon. Friend did not urge the Government to undertake to settle the matter in a single Session. The right hon. Gentleman opposite seemed to have somewhat misunderstood the President of the Local Government Board in what he said as to the old proposal of a County Financial Board having been prejudiced by the recent legislation. What he (Mr. Hunt) understood his right hon. Friend to mean, was not that the recent legislation with regard to Poor Law and sanitary matters had made the establishment of a higher local authority less desirable, but that it had changed rather the form which the proposal should take, and the duties with which County Boards should be entrusted; and that the field of legislative labour having been enlarged, he saw an opportunity of creating a local authority with different functions from those in the hands of the county justices. While not unwilling to give the right hon. Gentleman (Mr. Stansfeld) due credit for the proposals he had made, he

(Mr. Hunt) might lay claim to some consistency in supporting the proposal of his hon. Friend the Member for South Norfolk, because in 1867, when filling the office of Secretary to the Treasury, he brought in a Valuation and Property Bill which was, he might say, the parent of all the Bills since proposed for the establishment of a County Valuation Board. Under that Bill the assessment committee were to elect a body partly consisting of justices and partly of other members of the committee, and there was also a provision enabling the Town Councils of boroughs to elect members to that County Board. That Board was to deal with the question of the scale of deductions in the matter of assessments, and it had also to appoint the person who was to decide appeals with regard to such assessments. That proposal embraced some of the most important points contemplated by his hon. Friend (Mr. Clare Read); but this proposal of a Valuation Bill met an untimely fate from the Select Committee to which it was referred. That Committee, presided over by the right hon. Gentleman the Member for Pontefract (Mr. Childers), refused to recognize the Valuation Board as a permanent body. They would only allow it to be appointed for a temporary purpose, and they ordered its existence to cease as soon as the valuation had been done. That was a fatal blow to his proposal. His right hon. Friend (Mr. Sclater-Booth) had not thought it necessary to propose a County Board for the purposes for which he (Mr. Hunt) had proposed the Valuation Board—namely, to settle the scale of deductions from gross value in order to arrive at the rateable value, because the subject had been since so much discussed that a clear understanding had been come to on the subject, and he had found it possible to prescribe a scale of deductions in his Bill, and that accounted for the non-revival of the proposal of 1867. His hon. Friend (Mr. Clare Read) thought it necessary that a certain supervision should be exercised over local sanitary authorities. Now, he would remind the right hon. Gentleman (Mr. Stansfeld) that when he introduced his Bill in 1872, he (Mr. Hunt) urged upon him the necessity of giving to some county authority or to some larger area than that contemplated in the Bill the nomination or selection of a sanitary officer for the district. The right hon. Gentleman did not accept his proposal; but he (Mr. Hunt) was so convinced of its expediency that he prevailed upon his locality to carry it into effect by voluntary efforts. The result was, that nearly the whole of the parishes in his county (Northamptonshire) united in electing a medical man as sanitary officer for the whole district. This showed what could be done if greater facilities were given to such an extension of area by legislation. His hon. Friend the Member for South Norfolk was also of opinion that the highways and bridges might be placed under the supervision of an authority having jurisdiction over a larger area. That was to a certain extent a new subject. It was not the opinion a few years ago that the highways and bridges should be thrown upon the common fund, and it was only of late years that an opinion had been expressed that some portion of this expenditure might be thus defrayed. This question might very well be taken up as a fresh subject, which had not been prejudged by anything which had previously occurred. While there were many other subjects to which his hon. Friend had referred, the Members of the Government had not bound themselves to accept every proposal made by his hon. Friend, and he (Mr. Hunt) thought his hon. Friend had not understood them to do so. They shared in his general views, but as to the exact area, or the particular functions to be given to the new body, they declined to be bound; and, indeed, he believed that his hon. Friend would be satisfied to leave these matters for further consideration. His hon. Friend might have a scheme in his own mind as to the functions which might at some future time be given to these local authorities. The Government, however, could only look to the immediate future, and, so far as that was concerned, they saw their way to a great extent in marching with the views of his hon. Friend. It was not always that he agreed with the right hon. Gentleman opposite (Mr. Stansfeld); but he thought he had laid down some sound propositions with regard to the propriety of elevating local government in order to counteract the centralizing influences which had prevailed in recent years. He believed that such centralizing influences had arisen from the fact that there had been a want of sufficient authority to conduct the business, which had therefore been entrusted to the higher sanitary authority. He quite agreed with the right hon. Gentleman that if they could only mix the character of these local authorities, the central authority would be only too glad to give them the supervision over some of those local matters which now were obliged to be dealt with by the Local Government Board. He would end, as he began, by saying that the Government concurred generally in the principle of the Resolution, and the details could be settled as they arose on future occasions.

Sir GEORGE BOWYER said, he could not concur in the Resolution, because he thought the business of counties ought to be conducted as cheaply and economically as possible, and he did not think it would be under the system to which the Resolution pointed. Her Majesty's Ministers, however, had accepted it, and he wished them joy of it. It would give them a great deal more trouble than they bargained for when they tried to carry it out. The hon. Member for South Norfolk (Mr. Clare Read) entered into various explanations, but the House was not going to vote upon his speech, but upon his Resolution. What was a representative Board? Who were to be represented by a County Board, and how was it to represent them? Was it to represent those who elected Members of Parliament or the ratepayers in the counties? If it represented the Parliamentary electors, every election for the County Board would necessarily be a trial of Party strength, and the result would be the return of men as exponents of political opinions, and not of the men best fitted to manage the affairs of the counties. Nothing could be more disastrous to the real interests of the country than such contests. He disliked centralization; but he would rather see the whole nomination in the hands of a Government than these Party contentions. He denied that the magistrates were an aristocratic or exclusive body, because it was easy for a small landowner to get into the commission of the peace, and when he had done so, his vote at the sessions was as good as that of a Duke. The magistrates, without election, represented the ratepayers, because they were themselves payers of rates, and interested in the economical management of the county business; and for that reason the quarter sessions was a safe body to be entrusted with it. However that might be, he considered that the theoretical Resolution presented to the House was of a dangerous character. Such Resolutions might be very good for debating societies, but they were altogether out of place in the House of Commons. No case had been made out to show that the magistrates of the different counties of England, who were themselves the greatest ratepayers, had wasted the money of those counties; and he asked how many Petitions had been sent to that House against the present system of county administration. Therefore, until he found a specific plan placed before them which would introduce a better and more complete system than they had now, he must vote against a Resolution of that description.

Mr. DODSON congratulated the hon. Member for South Norfolk (Mr. Clare Read) on the progress which that question had made in the short space of that day. From what fell from that hon. Member and from other speakers early in that debate he understood it was expected that morning that the Government would oppose that Resolution; but early in the evening that fear vanished away, and they had from the President of the Local Government Board a speech on the singular dexterity of which he must compliment and congratulate that right hon. Gentleman. In the course of that speech he had raised objections to the proposition of the hon. Member for South Norfolk—objections, for example, as to the difficulty of dealing with lunatics and with asylums; he had minimized the advantages of the proposal from a financial point of view; he had also suggested sundry propositions of his own, inconsistent with the proposal of the hon. Member for South Norfolk, and he concluded by neither exactly adopting, nor exactly rejecting, that proposal. In fact, he had accepted it virtually, with a proviso that nothing should follow from it. Moreover, he based his acceptance on the new doctrine that he accepted it, not on its merits, but in consequence of the language of the speech by which it had been introduced. Since then they had a speech from the right hon. Gentleman the First Lord of the Admiralty, which was more decided in its acceptance of the Resolution than that delivered at an earlier hour by his Colleague. Before that debate closed, however, he did not despair of being able to congratulate the hon. Member for South Norfolk on still further progress, because he hoped that hon. Members would have the advantage of a speech from the Leader of the House, stating what the intentions of the Government really were with respect to the Resolution. In accepting that Resolution, did the Government mean business, or did it not? Was it intended that the Resolution should remain an empty and barren one upon the Books of the House; or did the Government intend to take it up, and endeavour in the present or in a future Session to give effect to its object? The general acceptance of the principle embodied in the Resolution was important, as regarded both the present and the future—important, both as a practical matter and as a matter of principle. Hon. Members had heard from the Government as yet but two doubtful voices, and it was to be hoped they would now have from the Leader of the House a plain declaration as to what the views and intentions of the Government really were. Both the Members of the Government who had already spoken were very shy in saying anything as to the rectification of areas, or the simplification of authorities; and yet the multiplicity of authorities to which the ratepayer was subject caused great trouble and annoyance and rendered very difficult any check on the amount of local expenditure. If each Department of the State were separately to levy the money it required for its own expenditure, they would have some faint analogy to the complication and confusion now existing in regard to their system of local government and local taxation. The rectification of areas was the first step towards the simplification and reduction of authorities. He looked upon the Resolution as a most important one. It was the first step in county reform; it was the withdrawal of the power of the purse from the rural House of Lords. It would restore to the counties their old representative institutions, and fit them to become what they originally were, and what they ought again to be—the principal unit in our provincial system.

THE CHANCELLOR OF THE EXCHEQUER said, the right hon. Gentleman who had just sat down (Mr. Dodson) had put to him, in a very pointed way, the question whether the Government meant business. His answer to that was exceedingly simple—the Government did mean business. And he would give him a proof of it, in declining to do so unbusiness-like a thing as to discuss a measure which was not before the House. The right hon. Gentleman and others who had sat any considerable time in that House, were no doubt perfectly aware of the great inconvenience which generally, and certainly very often, resulted from the discussion and adoption of abstract Resolutions. He did not say there were not occasions on which such a course was both proper and desirable, and he would frankly admit that in the present instance the adoption of the Resolution moved by his hon. Friend the Member for South Norfolk (Mr. Clare Read) was in his opinion a reasonable and proper step for the House to take. He would explain why it was he made that exception to a sound general rule. What he considered was objectionable in abstract Resolutions generally was, that they led the House to commit itself to principles which were not explained with sufficient clearness, and which might, at different times, be brought up and receive constructions which were not those which had been intended to be placed on the Resolution at the time it was adopted. But, on the other hand, an abstract Resolution might be very easily adopted which seemed to embody some excellent principle which could not be denied; and yet, when they tried to give it a practical application, they found themselves unable to give it practical effect. It was, therefore, imprudent for a Government, as a general rule, to adopt abstract Resolutions, unless they saw their way to carry them out in the sense intended by their Movers and by the House. Now, there appeared that day on the Notice Paper a Resolution from his hon. Friend the Member for South Norfolk. The Government could not but feel sure that it would be handled with ability, and would afford interesting matter for discussion; but whether it would be right and proper for the Government to accept that Resolution, it was impossible for them to decide until they had ascertained from the speech of his hon. Friend what meaning he attached to it, and whether they would be able to carry it into effect. His hon. Friend had, as was to be expected, made an able speech, which they might say was at once comprehensive, bold, and moderate; and seeing that he laid down principles which the Government saw their way to give practical effect to, they felt no difficulty in accepting his Resolution. Already a very excellent result had accrued from his hon. Friend having brought forward his Resolution, and given rise to the discussion. Although they had gone a little too much into the discussion, as it were, of the clauses of a Bill which still existed in the clouds, but which might before long assume a more tangible shape—although they had gone a little too much into details which were not yet before them—they had, at all events, derived this advantage from the debate, that they had elicited from hon. Members on both sides of the House, and hon. Members who held very different views upon questions of this kind, opinions which appeared to show a very much greater prospect of the Government being able to frame a measure that would command, he would not say universal, but general assent than he, for one, had thought probable some time ago. He confessed that what had always been with him a great cause of uneasiness and uncertainty in considering this question of local government and of an alteration of our county administrative system had been the fear that there were hon. Gentlemen desirous of rooting up our old system from the ground and planting something entirely new. He had been alarmed by expressions which had been heard from those who had a right to speak upon these subjects, and which appeared to show that they wanted something like provincial assemblies, or local Parliaments, or some other such bodies unknown at present to the Constitution, and which he thought would cause a very great deal of embarrassment, and might be productive of very serious mischief in the country. But when they found that what was in the contemplation of his hon. Friend and what appeared to be in the contemplation of other hon. Gentlemen, was only to carry further that which already existed, and to do that by the introduction of a Board which would gather up certain of the functions that were now assigned to different local Boards already in existence, and which might be prepared to undertake certain other functions that were obviously to be assigned to some kind of provincial authority to be presently constituted, it did appear to him and his Colleagues that such a Board might be wrought into a shape which would be at once Conservative and progressive. [*Laughter.*] Hon. Gentlemen laughed as if those two terms were inconsistent. If hon. Gentlemen did not believe that true Conservatism required that they should make provision for the increasing and newly-developing wants of the country, they must have a very low idea of the meaning of that term. They could not have a better illustration of the feelings which animated them at the present time, and of the circumstances under which they stood, than by glancing once more at that which had been several times referred to in the course of the debate—he meant the difference between the mode in which this proposal was discussed and the mode in which the old proposals with regard to County Financial Boards had been discussed. County Financial Boards, which were at one time a great nostrum among a certain class of financial Reformers, never made a real impression upon Parliament, because, after all, the agitation for them was of a theoretical character. There was a certain theoretical case made out as to taxation and representation going together, and as to the propriety of consulting the ratepayers and giving them a voice in the expenditure of their money, and so forth, all which was put plausibly forward and was no doubt more or less difficult to answer in argument; but, as he had said, it never made an impression on the House or the country, because there was no real necessity for that which was asked. But since those days a very different state of things had arisen. New functions had been created, new burdens had been imposed, legislation had gone on very extensively, and a practical necessity for re-modelling to some extent our system of local administration could not but be recognized. All the recent sanitary and educational legislation, and other matters to which reference had been made, rendered it necessary to consider how and in what way they could best enable the country to give effect to those enactments. Now, what had brought this question to a practical bearing was this—that in consequence of a great deal of legislation of an improving character, carried into effect by means of rates locally levied, the burden imposed on the ratepayers had become very oppressive, and a claim had been put forward by the ratepayers for some relief. By the present and also by former Governments that claim had been taken into consideration, and there had been a general acquiescence, he believed on both sides of the House, in certain principles which had been put forward, sometimes on one side of the House and sometimes on the other, and which he thought all came to this—that aid ought to be given, to a certain extent and in certain cases, from the Treasury towards local expenditure; that anomalies of rating and machinery ought as far as possible to be corrected; and that what could be done ought to be done, in order to strengthen the local machinery. In doing that, they were anxious, not to centralize authority, but only to enable the local and central authorities to work together. At the same time—and he regretted to hear the observations which had been made upon the point—it seemed to him there had been too much condemnation of centralization. They ought not, it appeared to him, in their zeal for local self-government and the strengthening of local administration, to forget the advantages that were derived from a good central administration. Assistance might be got from a well-constituted and well-worked central Department which would be of the greatest possible advantage to the local authorities, and an inspection by a central authority might be a very great safeguard against abuses. They did desire, however, to see the local authorities themselves strengthened, and he believed that in the plan shadowed forth, or more than shadowed forth, in the speech of the hon. Member for South Norfolk there were the germs of a system which might be worked into shape, so as to be presented to Parliament, discussed, and he hoped accepted. In fact, he believed the time had nearly now arrived when the Government ought to feel themselves in a position to make some proposal on the subject to the House. He did not, however, mean to say that they would be prepared to do so during the present Session, but the time was very near at hand when they would be prepared to come forward with some proposal. The reason why they were not ready to do so at the present moment was that, since the present Government had been in power, they had not been proceeding so that they might by a grand sweep be able to set up a new system, but had been endeavouring to work up to the proposed legislation, which was one of the great objects they had in view. They had to pass a Valuation Bill which was an important step in the direction of local administration before attempting the further step which his hon. Friend invited them to take. His hon. Friend himself—and he (the Chancellor of the Exchequer) was sorry to have to address him on the past—had borne a very useful and honourable part in some of the measures which had been passed by the present Government, and he begged to thank him cordially for the generous manner in which he had spoken of the action of the Government in those respects. But he knew his hon. Friend as well as others would have confidence in the Government, and would give them credit for not wishing to shuffle out of the question or to find excuses for not doing anything. They had, he could assure him, seriously in view the object of being able to introduce a measure on lines similar to those which he had pointed out, and it would, he thought, be exceedingly wrong and exceedingly unbusinesslike if he were at that moment to enter into the details of such a measure. It might be very useful that opinions should be expressed on the subject on both sides of the House, but it would not be until the plan of the Government had actually been laid on the Table that matters of detail could be advantageously or properly discussed. He hoped he had now answered the right hon. Gentleman opposite. The Government accepted the proposal of his hon. Friend as illustrated in his speech, but they did not bind themselves to every detail—nor did his hon. Friend ask them to do so. They accepted his proposal in the spirit in which it was made to the House, and he hoped a long time would not elapse before they would be able to introduce a measure which they hoped would meet with the approval of the House and the country.

THE MARQUESS OF HARTINGTON said, he cordially agreed with the right hon. Gentleman opposite (the Chancellor of the Exchequer) in thinking that advantage would arise from the discussion that evening. In fact, he did not think that a question of such vast importance, and, at the same time so imperfectly understood by the country, could be discussed throughout the whole of the evening without some considerable advantage. The right hon. Gentleman had told them that the Government had accepted the Resolution of the hon. Member for South Norfolk (Mr. Clare Read), but he declined, in answer to the challenge of his (the Marquess of Hartington's) right hon. Friend (Mr. Dodson), to state in any way what he meant by the business-like manner in which the hon. Member introduced the proposal. The business-like character of the intentions of the Government had only been exhibited by the right hon. Gentleman in an extremely negative manner when he declined to go into details which he considered to be of an unbusiness-like character. But what the Government did mean by accepting the Resolution, the House was left to gather as well as it could from the speeches of the right hon. Gentlemen the President of the Local Government Board and the First Lord of the Admiralty. The right hon. Gentleman said that there was frequently considerable inconvenience arising from the acceptance of abstract Resolutions, and gave some ingenious reasons why he thought the abstract Resolution before the House seemed to him not to be open to those objections. He (the Marquess of Hartington) could not, however, help thinking that there was considerable inconvenience in the course which had been taken by the Government that evening, for they knew from excellent authority, that up to a very late period of the evening the Government had not determined upon the course they should take in reference to the subject, or if they had come to any resolution at all, it was one that appeared to him precisely opposite to that at which they at the last moment arrived. It was well known that the supporters of the Government had received an intimation that a division was most certainly expected on the Motion, and it might, he thought, after that knowledge, be fairly said that the Government intended to oppose the Motion. As to the observation of the right hon. Gentleman, that the acceptance of the Resolution must, to a great extent, have depended on the speech of the hon. Member for South Norfolk, it seemed to him to be one of the most extraordinary statements he had ever heard made by a Minister in that House. The Resolution was one which would remain on the Journals of the House, and which would be quoted in subsequent debates on the important subject before the House; and was it to be supposed that the acceptance of it by the Government was to be hampered by every qualification which might be contained in the moderate and comprehensive speech of the hon. Member for South Norfolk, or by every qualification and objection which was stated in the still more moderate but less comprehensive speech of the right hon. Gentleman the President of the Local Government Board? Throughout the greater part of his speech the right hon. Gentleman had argued most steadily against the proposal of the hon. Member, and had told the House that the case with respect to the establishment of County Boards had greatly altered during the last 25 years, and that it had been greatly prejudiced by the legislation that had taken place during that period. Did he mean by prejudiced, strengthened? He thought, on the contrary, the meaning of the right hon. Gentleman was that, whereas there was considerable necessity for their establishment 25 years since, that necessity was now greatly diminished. He went on to tell them that they had converted the Poor Law Union into a *quasi*-municipal body; that it was impossible to interfere with that *quasi*-municipal body which they had created; and that therefore, with the exception of the administration of a Common Fund, which possibly some day or other might be raised in the various Unions situated in the county, there was nothing whatever for a County Board to do. He must say that he felt somewhat sorry for the right hon. Gentleman during the greater part of his speech. He felt that the right hon. Gentleman was obliged to argue with some hesitation against the proposal, lest he should expose the Government to almost certain defeat by arguing too strongly against a Resolution brought forward by one of its own Supporters. But when the right hon. Gentleman ended by saying that he was prepared to accept the proposal for the creation of County Boards, he confessed he was astonished at the conclusion at which the right hon. Gentleman had arrived. It seem from the speech of the Chancellor of the Exchequer that the speech of the hon. Member for South Norfolk had given to the Government some new ideas. According to the speech of the President of the Local Government Board, the Government could not see there was anything whatever for a County Board to do, but now it appeared they saw their way to certain functions which, in course of time, might be arrogated to the County Board; and they thought that in some reasonable time, perhaps next Session, possibly not, work might be found for the County Board to do. These functions were defined with the accuracy for which the speeches of right hon. Gentlemen opposite were always remarkable, and they were at once Conservative and progressive. Well, they must obtain what satisfaction they could from the speeches delivered by Members of the Government that evening; but for his own part, after listening to those speeches, he did not feel clear either as to their own intentions in regard to the Resolution for establishing County Boards, or as to what their ideas were respecting the duties to be performed by those Boards. He admitted, however, that he had derived much greater satisfaction from the Resolution itself, which they were about to pass, than from the speeches delivered on the opposite side. The House was about to assert that no re-adjustment of Local Administration would be satisfactory or complete which did not refer the business, with certain exceptions, to a Representive County Board. His hon. Friend the Member for Bedford (Mr. Whitbread) had pointed out reasons, which, if the House did not now deem conclusive, it would soon see to be conclusive, why the re-adjustment of local administration could not be very long delayed. The amount of the local rates had been enormously increasing during the last few years, and the Local Taxation Reformers had passed by the growing expenditure from sources which could never be the subject of Imperial assistance. He thought the case made out by his hon. Friend the Member for Bedford showed that the time could not long be delayed when the country would call loudly for the reform of local administration. He did not say that all the money had been wasted, but could the President of the Local Government Board give the House an assurance that it had been economically administered and judiciously expended? He did not think it possible, in the state of confusion and anarchy in which our local accounts and local administration now were, that any hon. Gentleman could get up and say he was satisfied in that respect. If, then, the case was becoming stronger which called for the re-adjustment of local administration, they would now, by the unanimous or nearly unanimous vote of that House, have decided on the principle at least on which that re-adjustment was to be based. Notwithstanding the speeches from the opposite side, and the qualifications with which the present proposal had been received by the House, they were about to assert, he believed for the first time, that no measure of local administrative reform would be satisfactory which did not contain the principle of a Representative County Board. Many hon. Members had pointed out what work there was already, and what further work there was to be done by such a Board. He believed that the Board, when once constituted, would find ample work to do, and that it would not be possible, when the Government introduced their measure for the establishment of such a Board, to establish it without going to the root of the whole matter by dealing with the questions incidentally touched upon that evening of the simplification of the area of local administration and the simplification of local authorities. For these reasons he believed the gain accomplished that evening in passing the Resolution of the hon. Member for South Norfolk would be a substantial one, although, at the same time, he must regret the language of the Government in accepting that Resolution as being so unsatisfactory and so hesitating.

MR. SCLATER-BOOTH explained that in referring to "prejudices," he merely meant to say that the action of Parliament during the last 20 or 25 years had removed certain prejudices, and that the question had now assumed an entirely different shape.

MR. NEWDEGATE: Sir, I recently found myself in a rather difficult position, in consequence of my having voted for the Resolution of the hon. Baronet the Member for South Devon (Sir Massey Lopes) in 1872, without having heard great part of the hon. Baronet's statement, which Members of the present Government seem to now imply committed them to bring in the Prisons Bill, to which I am opposed. I have now heard the speech of the hon. Member for South Norfolk (Mr. Clare Read), and I ask the House to allow me to state very briefly the view I take of the exposition which has been given us by the author of the Resolution now before the House. The hon. Member for South Norfolk has virtually stated, that he at once gives up the idea of any further relief from local taxation, by the transfer of what he has called "Imperial charges" to the general taxation of the country. It has been admitted by the right hon. Gentleman the President of the Local Government Board that the provision for lunatics, which is one of those charges, stands upon a footing very different from the other objects for which a county rate is levied. I fully appreciate that fact; and, in consequence, I looked forward to the period when the counties would probably be relieved from that £1,000,000 of charge. The fact that there is no surplus has, no doubt, rendered it very convenient to Her Majesty's Ministers to forget that portion of their obligations of 1872. We have heard a great deal about the prospect of economy; but what is the tendency of the proposal of the hon. Gentleman the Member for South Norfolk? It would very greatly curtail the jurisdiction of the only important local Body which the hon. Member himself admits to have been successfully economical in the administration of local funds. The hon. Member said, that by their conduct in quarter sessions, especially as to economy, the justices of the peace had reared a standing monument to their honour; but by the statement of his present intentions, what does he propose? He does not propose to continue to this Body, which has been so economical, even the share of county administration that was recommended by the Select Committee of 1868, who recommended that the County Board should consist of one-half justices of the peace, and of one-half the representatives of the Guardians; but the hon. Member tells us he would provide that the new Board he contemplates creating shall contain no more than one-third of this economical element. The proportions of his new Board, which the hon. Member mentioned, were, one-third of justices to be nominated by the court of quarter sessions, and the remaining two-thirds to consist of members to be nominated by the Guardians of the Unions. I do not see, Sir, how we can hope for economy as the result of such a measure. The hon. Member himself gave up the idea, for he told us—"I do not say that the new Board will be so economical as the justices in quarter sessions have been." All our experience proves this anticipation likely to be true. For, of all the new local Bodies, which Parliament has from time to time created, not one has been nearly so economical as the quarter sessions. Look, for instance, at the large expenditure for educational objects under the school boards. Then, again, with regard to the Poor Law, you are obliged to keep the Guardians under the constant supervision of a central authority, in order, as you say, to secure economy; whilst the only accusations of extravagance ever directed against quarter sessions have been falsified by proof of the fact, that what was deemed excessive expenditure on their part, had been forced upon them by statutes which had been sanctioned by this House. I say, then, that this plea of economy has vanished; and that the Government now appear to find it convenient to abandon one portion at least of the pledges which they gave in 1872. One portion of the pledges for relief which they then gave was that relief should be given as to the maintenance of the gaol; but another portion of their pledge, with regard to the remission of local taxation, related to a far larger item of county expenditure and burthen, to that which might be most constitutionally transferred for payment to the Consolidated Fund; the provision for pauper lunatics, the care of whom and whose discipline are already entrusted to two Commissions, and this annual charge of £1,000,000, we are now told is still to remain saddled on the county rates. We are told this by an hon. Member whose proposal for the creation of County Boards, he had the frankness to admit, was not a proposal made in the cause of economy—and this proposal is now adopted by the Government. I wish that I could hope that the anticipations of the hon. Gentleman the Member for Bedford (Mr. Whitbread) would be realized; but I fear that these Boards will be so formed that their sense of responsibility will, by the multiplicity of their avocations, be dissipated. I would fain hope, but I can scarcely expect, that they will become really economical. My hope for economy was further dissipated by what has fallen from the right hon. Gentleman the Leader of the House. The right hon. Gentleman said—"Do not anticipate or expect that the supervision and control of the central authority will be withdrawn." Where, then, am I to look for the responsibility of these new County Boards, which you are about to create when, according to the declaration of the Leader of the House, their administration will be conducted under the direction of the central authority, and under the system of central inspection, of which quarter sessions have had ample experience. I am sorry, Sir, to appear as a dissentient from the right hon. Gentlemen who, during the latter part of this debate, have been congratulating each other on the progress towards apparent unanimity which they seem to have made — progress, as we were told by the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), towards decentralization. It is strange that it should be so; but it seems that in the mind of the right hon. Gentleman there is no connection between concentration and centralization. The right hon. Gentleman has a system, and his whole system which he has propounded to this House and had formerly embodied in a measure, consists in this—that the Legislature should concentrate all county administration. The right hon. Gentleman would concentrate the whole of the local administration in County Boards. The right hon. Gentleman the Leader of the House says—"Do not hope by that means to escape from centralization, for where you concentrate we shall centralize." What, then, is this House asked to do? It is asked to contravene the principles of local government, which have preserved the freedom of this country, and formed a great variety of schools in which men have prepared themselves for public life, for administrative and legislative duties. Under this system of diffused local government, the discharge of various functions and the provision of various wants were entrusted to different local bodies. Under this system the responsibility was real, because responsibility was not evaded on account of the multiplicity of the avocations of those who undertook it. I should deeply regret the country being deprived of this system of local self-government. Instead of blaming, I give the right hon. Gentleman at the head of the Local Government Board credit for having hesitated in giving a qualified assent to the abolition of that system; because it is easy to see that by destroying it, we should be advancing in the direction of centralization, for concentration will render the imposition of centralization more easy and more certain. Understanding, then, that I might be to a certain degree, bound by the views propounded in the speech of the hon. Member for South Norfolk if I voted for his Resolution, and feeling that the principles which he has enunciated may be perverted to an extension of the system of centralization to which I object; knowing, also, from the history of France that the local Parliaments of France, by concentrating within themselves too many functions, excited the jealousy of the Central Government, and thus brought upon themselves centralization and the loss of their independence; believing that the system of centralization would be promoted by the carrying out this Resolution, in the sense and according to the speech of the hon. Member for South Norfolk—although I might have voted for the Resolution had it not been explained as it has been by its Proposer, by the right hon. Gentleman the President of the Local Government Board, and by the right hon. Gentleman the Leader of this House — I shall, before the Question is put, feel it my duty to leave the House and take no part in the division.

Mr. BUTT supported the Resolution, because he regarded it not as an interference with the principle of local self-government, but as strengthening that principle by placing it under popular control. He agreed with the noble Marquess (the Marquess of Hartington) that it was not by any speeches which had been made in the course of the debate that the House would be bound if the Resolution were adopted, but by the terms of the Resolution itself. He regarded the Resolution as perfectly plain in itself; it assumed that there was such a thing as county business, and it affirmed that this business ought to be transacted by boards or councils elected by the inhabitants of the counties. It pledged the House to the establishment of elective County Boards. He (Mr. Butt) was voting for that Resolution and not for the speech in which the hon. Member for South Norfolk had introduced it. He (Mr. Butt) had no reason to quarrel with that speech. It proposed for England a plan very nearly identical with the provisions of a Bill which he (Mr. Butt) had proposed for Ireland last Session. That Bill, he might perhaps remind the House, had been opposed by the Ministry. It had not been supported by those who sat on the Opposition front bench, and yet the second reading was defeated in a full House only by the narrow majority of 28. Opposed by the Leaders of one Party, and deserted by the Leaders of the other, they obtained for the measure 153 votes; its opponents were 181. If, then, the speech of the hon. Member could be put to the vote, he (Mr. Butt) would certainly vote for it. But it was not the speech, it was the Resolution upon which they would be asked to vote. What he understood by the Government supporting the Resolution was, that they would bring in a measure constituting County Boards and transferring to them county business. They were not discussing local administration, nor local business, but the establishment of representative County Boards. He (Mr. Butt) hoped that when a similar proposal was again submitted for Ireland it would receive the support of English Members. He had intended originally to move an Amendment to the Resolution, to the effect that if the principle which it affirmed was necessary for England, it was far more necessary for Ireland; but as he feared that mixing the Resolution with the Irish case might interfere with the passing of it, he determined not to move such an Amendment. However, if he had so forborne, he had done so in the confidence he had that there was a disposition in this Parliament to extend to Ireland the same principles of local government that were adopted for England.

Mr. FAWCETT, as an independent Member, wished to enter his emphatic protest against the doctrine laid down by the Chancellor of the Exchequer. The right hon. Gentleman said the Government, having heard the speech of the hon. Member for South Norfolk, accepted the Resolution. The Resolution was supported, because it would be the basis of an important measure at a future day; but the Chancellor of the Exchequer had introduced a reservation, but that would not bind the Members of that House. Some of the Members of the House accepted the Resolution, but they did not accept the speech of the hon. Member for South Norfolk. He, for one, accepted cordially the principle of county representation, but he did not accept the scheme of indirect representation as propounded by the hon. Member. In agreeing to the Resolution, what he understood the House to accept was, that the Government should, with the least delay possible, introduce a measure which would give the ratepayers, not an indirect representation, but a direct representation with respect to the rates which were levied upon them.

Mr. GATHORNE HARDY said, the hon. Gentleman opposite (Mr. Fawcett) had very fairly stated what was his interpretation of the Resolution, and the Government had done the same thing. If the hon. Member had moved the Resolution and put upon it that interpretation, then the Government might feel themselves obliged to take a very different view of it from that which they took of the Motion of his hon. Friend the Member for South Norfolk. For his own part, he had long been of opinion, and so, he believed, had all his Colleagues, that the Resolution of his hon. Friend was one which might very properly be adopted. It would be a very different matter, indeed, if it had been forced on the Government in the terms of the hon. Member for Hackney; but his hon. Friend the Member for South Norfolk had put upon it an interpretation which the Government thought just. They put upon it the same interpretation, they accepted it in a *bonâ fide* spirit, and with the full intention of giving effect to it in the sense in which they understood it, and not in the sense adopted by the hon. Member for Hackney.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put.

Resolved, That no readjustment of local administration will be satisfactory or complete which does not refer County business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board.

THE QUEEN *v.* CASTRO—THE ORTON CORRESPONDENCE.—ORDER.

MR. WHALLEY, who had given Notice to call attention to Correspondence with the Home Office relating to the Tichborne Claimant, rose apparently for that purpose—

MR. SPEAKER called the hon. Member to Order, and informed him that the Order for going into Committee of Supply had, by the adoption of the Resolution, been disposed of, and that he could not now proceed with his Amendment on going into Committee of Supply.

CUSTOMS AND INLAND REVENUE (DUTIES ON OFFICES AND PENSIONS) BILL.—[BILL 91.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."

MR. WHALLEY said, he begged to move the Adjournment of the House, for the purpose of calling attention to the course which, on this occasion, the Government had deliberately adopted in order to still further postpone the discussion of the subject of which he had given Notice. He had always understood that when a Vote was taken on the Motion to go into Committee of Supply the practice was to rehabilitate Supply in order that other Members who had given Notices of Motion might have an opportunity of bringing them forward.

MR. SPEAKER: The main Question before the House is the Customs and Inland Revenue Bill. The hon. Member is quite entitled to move the adjournment of the House; but in so doing, he must confine himself to the Question immediately before the House.

MR. WHALLEY: I am stating to the best of my ability the reasons why this House should not only now adjourn, but why it should not re-assemble till the Members of the House, who assemble here at so much trouble and expense, can be assured that they will be treated according to the Rules of this House, and that everything approaching to trickery and unworthy proceedings on the part of the Government—[" Oh, oh!"]

MR. SPEAKER: The observation which the hon. Member has now made is quite un-Parliamentary, and I must request him to confine himself to the subject-matter of the Bill.

MR. WHALLEY: But I care nothing about the Bill.

THE CHANCELLOR OF THE EXCHEQUER, interposing, said he thought the hon. Member should be called upon to withdraw his un-Parliamentary expression.

MR. WHALLEY: I withdraw the word at once; but I used it in the sense that to depart from the usual custom of rehabilitating Supply—

MR. SPEAKER: I must again point out to the hon. Member that his observations are not relevant to the subject-matter of the Bill.

MR. WHALLEY said, he had always understood it to be the custom when the Order for Supply was displaced, for the Secretary to the Treasury to rehabilitate it.

MR. SPEAKER said, that when there was a Question before the House it was quite open to move the Adjournment of the House upon that Question; but in so doing the hon. Member must confine himself to the Question.

MR. WHALLEY: I beg to give Notice that on next going into Supply I will make another effort to bring this question under the consideration of the House.

Second Reading *deferred* till *Monday* next.

Afterwards—

On Question, That the House do now adjourn,

MR. WHALLEY asked the Secretary to the Treasury, If he had any, and what reason, other than that of evading discussion, for not rehabilitating the Motion to go into Committee of Supply on this occasion?

MR. W. H. SMITH said, that he had acted in accordance with the Rules and Customs of the House in not again setting up the Motion of Supply after half-past 12 o'clock.

MEMBERS OF PARLIAMENT.

Ordered, That there be added to the Return relative to Members of Parliament, ordered by this House on the 4th day of May 1876, a

Return, from so remote a period as it can be obtained up to the year 1696, of the Surnames, Christian Names, and Titles of all Members of the Lower House of Parliament of England, Scotland, and Ireland, with the Name of the Constituency represented, and date of Return of each.—(*Sir William Fraser.*)

House adjourned at One o'clock
till Mouday next.

HOUSE OF LORDS,

Monday, 12*th March*, 1877.

MINUTES.]—Public Bills—*First Reading*—Beer Licences (Ireland) * (23); Open Spaces (Metropolis) * (24).
Second Reading—Exoneration of Charges (16); Contingent Remainders [17]; Irish Peerage [15].
Royal Assent—Consolidated Fund (£350,000) [40 *Vict.* c. 1].

EXONERATION OF CHARGES BILL.

(*The Lord Chancellor.*)

(NO. 16.) SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR, in moving that the Bill be now read a second time, said, that according to the law of this country, up to a very recent period, a state of things might happen which he should best describe by an illustration. The owner of a landed estate worth £5,000 a-year, which was mortgaged to the extent of £50,000, had also personal property to the extent of £50,000; on his death he left the real estate to one son and the money to another. It was, of course, the intention of the testator to divide his property equally between the two sons. But up to the period to which he had referred it would have been in the power of the son to whom the real estate was devised to call upon the son who had the personal property to apply the latter to paying off the mortgage;—and in that way he would become the possessor, not merely of the estate, but of the £50,000 applied to paying off the mortgage. In 1854 an Act—the 17 & 18 *Vict.*, c. 113—amended in 1867, was passed, which provided that unless there was specific direction by the testator to that effect, this right to have the real estate exonerated out of the personal property should not exist. Those Acts, however, extended to freehold property only; and as, in some recent instances, the same injustice had arisen in respect of leasehold property, the object of the present Bill was to extend the former Acts to leaseholds.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CONTINGENT REMAINDERS BILL.

(*The Lord Chancellor.*)

(NO. 17.) SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR, in moving that the Bill be now read a second time, said, that the measure had been introduced, like the preceding Bill, to remedy any injustice in the operation of the existing law. As the law now stood, if a man left an estate to Brown for life with remainder to the first son of John Smith who attained the age of 21 years, and if Brown died before any son of John Smith attained that age, the contingent remainder would be void. The Real Property Commissioners reported on that state of things in 1833, and strongly recommended that the law should be altered. Since then an attempt had been made to revise the law, and put it in a more satisfactory shape, but that attempt had not been successful. The object of the Bill before their Lordships, which was a very short one, was to limit the operation of the law. The necessity for this had been forcibly illustrated by a recent case in the Courts of Law, which showed that the present doctrine of law had worked serious injustice in the devolution of family property.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LOCAL GOVERNMENT OF THE METROPOLIS.

MOTION FOR RETURNS.

Earl DE LA WARR rose to call the attention of their Lordships to the operation of the law with reference to the local government of the

Metropolis; and to move for certain Returns relating to the expenditure of Vestries and District Boards within the Metropolitan District. He desired to bring this matter before their Lordships, having observed that the discussion which had recently taken place in their Lordships' House with reference to the Metropolitan Board of Works did not embrace some important points connected with that subject. The question as submitted to their Lordships by the noble Earl opposite (the Earl of Camperdown) was confined to the constitution of the Metropolitan Board and the mode of its election. That was, doubtless, a matter of considerable importance, and he regretted that what was proposed by his noble Friend had not been assented to by their Lordships. The subject to which he now wished to call attention—namely, the operation of the law in the local government of the Metropolis—included, he was aware, many interests, and was one which, perhaps, could not be approached without awakening a certain amount, he might say, of prejudice, as touching upon what might be considered ancient custom and long-existing practice. These considerations threw some difficulties round the question. But at the same time they could not shut their eyes to the fact that changes must sometimes be made in local as well as in other institutions to adapt them to the requirements of the times. Now it seemed to be a want of this policy which had kept back improvements in the Metropolis, which consequently had only been partially carried out. It had been attempted, to unite the ancient form of local government, when the population was counted by hundreds, with what was rendered necessary by the increasing wants of a population almost unexampled in number and in the vastness and variety of its occupations. This work was attempted in the year 1855, when the Act was passed which constituted the Metropolitan Board of Works. Previous to the passing of this Act the Metropolis had been mainly under the government of Vestries—with the exception of the comparatively small area which, as now, was under the jurisdiction of the Corporation of the City of London—and as might be expected, there were hardly two parishes which were governed alike. The object of this Act was to produce greater uniformity of local government. No doubt a great deal had been achieved, but the evil had only been partially cured. Before the appointment of the Metropolitan Board the subject had been for many years under the consideration of the ablest and most practical men; Parliamentary Committees and Royal Commissions had sat and reported upon it; Bills were introduced by the Governments of the day and by private Members of the Legislature, which were afterwards withdrawn; and the question seemed to be beset with difficulties—one of which, and he thought not the least, was the attempt to amalgamate the City of London with the surrounding boroughs and parishes. It was, therefore, wise in the Metropolis Management Act of 1855 to exclude almost entirely from its operation the City of London. He admitted that the City of London had been well governed — for, while the rights and privileges of that ancient Corporation had happily been respected by Parliament, they had adapted their practice to the wants of the present time, and had set an example of local government which was worthy of being followed. But the area and population included within the City boundary were comparatively small and were numbered by thousands, while outside they came to millions. Excluding, then, as he proposed to do in this discussion, the City of London, what did they find existing under the Metropolitan Act? There was a divided jurisdiction in many important matters affecting public interests and public convenience. If they looked outside the City boundaries there was a population approaching 4,000,000. with an area extending into four counties, and inclosing nine Parliamentary boroughs. Under the Act of 1855 this immense district covered with houses was placed under the joint government of 38 Select Vestries or District Boards and the Metropolitan Board of Works. The smaller parishes were grouped together and formed District Boards; the larger ones being divided into wards having members according to their size. These Vestries or District Boards had under their management branch drainage, buildings to some extent, streets, water supply, lighting, and sanitary arrangements. The Metropolitan Board had entrusted to it the main drainage, the control over the construction of sewers by the Vestries, over the formation of new streets and buildings, and general metropolitan improvements. The larger works were carried on by committees: thus there was the Building Committee, the Fire Brigade Committee, the Open Spaces and Commons Committee, the Cattle Diseases Committee, and others. Now he was at a loss to see how it could be for the advantage of the ratepayers or the public that there should be this divided jurisdiction, and these numerous centres of management. He would mention an instance—that of drainage. Could it be a good, or convenient, or economical arrangement that the main drainage should be under the Metropolitan Board and the smaller drainage under Parochial or District Boards? Or to take the water or lighting. Was it desirable to leave important matters like these, which required unity of action, in the hands of different Boards, with perhaps more or less different interests. It was argued—"You will interfere with the parochial system if you take away the jurisdiction of Vestries." But was not that done already? They had District Boards formed by the union of parishes instead of Vestries, and it was but a small step further to unite these in one central Board, to be elected by the ratepayers, who would thus be directly represented, and would exercise more the rights which they were intended to have than they did under the present system. He came now to the practical results of this divided authority as existing in the Metropolitan Board of Works and the 38 Vestries or District Boards. And here he wished distinctly to state that in the remarks which he might offer he desired in no way to attribute maladministration either to the Metropolitan Board or to the different Vestries and Local Boards. He regarded the defects in practice to which he might ask their Lordships' notice as the natural and in many instances unavoidable consequences of the existing divided authority and jurisdiction. Take the street question. The Metropolitan Board of Works had no control over many of those matters which materially affected public interests and public convenience; but in the work of the Local Boards streets were continually disturbed and broken up in different districts for gas or drainage pipes or other reasons at inconvenient seasons of the year, new paving was sometimes laid down in one street and not in another which equally required it; the paving of one street was often of a totally different kind from that in the other adjoining—so that horses suddenly passed from a macadamized street to a slippery wood or asphalte pavement; large masses of broken granite were laid down in some streets at a time when the carriage traffic most required an even road. Now, if they had one central authority there would be one kind of paving for all alike. Again, steam rollers were worked at all hours of the day: streets in the summer were frequently imperfectly watered; and he had heard of an instance where one parish insisted upon watering its side of the street in the morning, while the other watered it in the evening, thereby having dust all the day. These, he believed, were the words of the Act giving power to the Vestry to water the streets —"as often as they think fit." This, of course, admitted of very wide interpretation. So also as regarded crossing-sweepers to be distinguished by their dress as public servants, the Act allowed them to be appointed, but did not make it compulsory; consequently it was never done. And with reference to clearing the streets of dust or snow, the Act required it to be done at "such hours as fixed by the Vestry." It was too well known how imperfectly this was carried out; and as to cleaning the streets it was frequently done by aged and infirm persons instead of by the improved machinery now in use. And here he could not omit to notice the subject of the gas and water supply of the Metropolis. These were, as their Lordships knew, in the hands of Companies, and consequently Vestries and District Boards were dependent upon those Companies, both as regarded the quantity and quality of what was supplied. The gas of London, as was well known, was inferior to what was used in many other large towns; and there were instances of successful management, as in Manchester, where the gas was made a source of income to the town. In like manner, the quality of a considerable portion of the water as now supplied was not what it ought to be, and what it might be, in such a City as London. He believed both would be better if the supply was in the hands of a central authority. Then, what an unfavourable contrast did London and other large towns of England afford when compared with towns on the Continent with regard to markets? Where were our meat markets, our fish markets, our general markets? The few which we had were frequently small and ill-managed, and were not accessible to a large portion of the population, and the poor as well as the rich had often no choice but dealing with tradesmen at a disadvantage. These were some of the inconveniences, and others might be enumerated, which arose from the divided jurisdiction of so many Vestries and District Boards; and he could not but think that what he had ventured to suggest would in a great measure afford a remedy—that was, if the management of the Metropolis were placed under the control of a central Board such as or similar to the existing Metropolitan Board, and to be elected in a direct manner by the ratepayers. He believed it would be more economical, that the work would be better done, and that it would be greatly to the advantage of the public. He had to thank their Lordships for listening to what he felt was but an imperfect statement of a large question, and which he trusted might be supplemented by other remarks, in the hope that Her Majesty's Government might be induced to give their attention and consideration to that important subject. As he proposed to move for a Return of the sums expended by Vestries and District Boards of the metropolis during the past three years, he might mention that there was, he believed, a Return of the period between 1856 and 1870, showing a total expenditure of upwards of £7,000,000.

Moved, That there be laid before this House—

"Returns of the sums expended by vestries and district boards within the Metropolitan district, exclusive of the City of London, upon paving, lighting, drainage, water supply, sanitary arrangements, and other works not under the jurisdiction of the Metropolitan Board, during the years 1874, 1875, and 1876.—(*The Earl De La Warr.*)

EARL BEAUCHAMP said, that, on the part of Her Majesty's Government, there was no objection to the production of the Papers for which his noble Friend had moved. Their Lordships would, no doubt, expect that he should say something in answer to the observations of his noble Friend; but he had some difficulty in doing so, because he had been unable to find from the Notice on the Paper, to what particular point his noble Friend intended to address his remarks. Now that his noble Friend had made his observations, he (Earl Beauchamp) desired to point out that the main proposition of that speech had been, perhaps, sufficiently discussed when the Motion for the second reading of Lord Camperdown's Bill was before their Lordships. No one could contend that there were not imperfections in the present system of managing metropolitan affairs; but he thought that if regard was had to what had been accomplished, since the passing of the Metropolis Management Act, it must in candour be admitted that the Vestries and District Boards had not laboured without success, and that, on the whole, the management of the Metropolis would compare favourably with that of Continental towns. The Metropolis Management Act of 1855 contained the provisions in accordance with which the Vestries were elected and transacted their business. In 1870 a number of questions were addressed to the various Vestries of the Metropolis relative to the sanitary condition of their districts; and the answers to those questions showed that between the date of the passage of the Metropolis Management Act and that year the sanitary condition of the Metropolis had changed very considerably for the better, that the gas and water supply was improved, and that much property of an inferior and insanitary condition had been replaced by dwellings of a more modern and healthy sort. Rome was not built in a day; but, considering the vastness of the work they had to do, the Metropolitan Board of Works and the Vestries might congratulate themselves on having taken most effective and successful steps in embellishing the Metropolis of this great Empire. He was far from denying that much remained to be done; and those who had done so much would be far from denying it; but still the improvement and beautifying of the City had proceeded to a considerable extent. The death-rate also of the Metropolis had been considerably diminished, but there was no reason why it should not be diminished still more. He could not very well follow the noble Earl through all the details of his speech—there seemed nothing too great, or too small for his criticism. As to what his noble Friend had said with regard to the pulling up of streets for the purpose of laying and repairing gas and water pipes, all that, no doubt, was disagreeable, but the Vestries had no jurisdiction to enable them to prevent it. Then his noble Friend had complained that there were different descriptions of paving in adjoining streets; but in reply to that, it was to be said that as yet no one kind of payment was acknowledged to be the best, and it must be remembered that the sort of pavement which answered very well in one street might not be suitable to another in which, perhaps, there was much more traffic. As to markets, it would be very hard to hold the Vestries accountable in that matter—they had no power over the markets; and if they had, it was not certain that they would act prudently or economically. A noble lady, whose name was always mentioned with respect (Lady Burdett Coutts), had founded a market in the densely populated district of Shoreditch, which, for some reason or other, did not command the approval of the population of the district and had proved a failure; and if they were to take that instance as a guide, they could not argue that the erection of markets for the various districts of the metropolis was the best thing to advocate. The noble Earl complained of the way in which dust and snow were removed from the streets. During the last great snowstorm the possibilities of the various Vestries were strained to the utmost. So that they must not take that as a fair sample of their normal capacities. But Mr. Hayward had shown by statistics, that to make provision for the immediate removal of the snow, after a heavy fall of snow in the Metropolis, would involve an expenditure out of all proportion to the object to be achieved. It was impossible for the very best arrangements to succeed in a season of great emergency; but, if it were found that the general working was efficient, he thought that was all they could fairly ask of any public body. There was, as he had said, no certainty that a central Board such as that suggested would produce more favourable results. The more they inquired into the manner in which the duties of the various local authorities were performed, the more it would be found that they redounded to the credit of those to whom they were entrusted.

THE DUKE OF SOMERSET thought that if he took his "intelligent foreigner" through the West-end of London, that personage would be very much astonished at the way the public thoroughfares were dealt with by Vestries and by Gas and Water Companies. In dealing with our streets the Vestries ought to act under the control of a central authority, such as the Metropolitan Board of Works. They ought to be placed by law under such an authority; and, if that were done, a great deal of local inconvenience would be spared.

EARL FORTESCUE said, that a system could not but be defective, under which, not only the Vestries, but Gas and Water Companies had power to take up streets. The Companies acted independently of the Vestries. Two Companies might be pulling up different portions of a street at the same time; and he had known instances in which no sooner had one Company taken up a street and put it down again, than another Company entered and performed the same operation over again. He was glad to find that the noble Earl who had spoken on behalf of the Government (Earl Beauchamp) did not speak of the management of the Metropolis as being absolute perfection; but he regretted that the admissions of the noble Earl were so very qualified. He could not agree with the noble Earl that things had been done so well. On the contrary, he held that at the present moment the state of the Metropolis was far from creditable to the greatest capital in the world. It was very far from being equal to Paris in its pavements, though, when he first knew the French capital, it was far behind London in that respect, as well as in its sanitary arrangements. He was of opinion that as the duties of the Vestries were administrative, the members of those bodies were too numerous. He must, in conclusion, solemnly enter his protest against regarding the present state of administration in the Metropolis as being either satisfactory, efficient, or economical.

Motion *agreed to.*

CAPTAIN BURNABY—RECALL FROM RUSSIA AND ASIA.

QUESTIONS. OBSERVATIONS.

LORD DORCHESTER asked the Secretary of State for Foreign Affairs, By whose authority—and for what reasons, the leave of Captain Burnaby, of the Royal Horse Guards, granted by Her Majesty to travel in Russia and Asia, was rescinded; and by whom the cost of a telegram conveying an order to that officer to return was borne? He said that in putting these Questions, of which he had given Notice a week ago to the noble Earl the Secretary for Foreign Affairs, he wished to disclaim all intention of raising any political question or causing any controversy between the two sides of the House. He was aware that the discussion in reference to the atrocities perpetrated in Bulgaria had created a great deal of interest, and he only regretted that, side by side with the compendious Blue Books on the subject and the able Report of Mr. Baring, they had not a list of the horrors that occurred in Poland in 1863, and the like of which he believed had also occurred in Circassia. He had read a letter from a remote town in Asia Minor in which it was stated that Bashi-Bazouks had returned from Bulgaria, and the vindictive propensities which were displayed in Bulgaria had been aroused by the remembrance of what took place in their country when it was subjugated. But it was not his wish to open up a sore which they all hoped was in process of being healed; and speaking from those (the Opposition) benches, he believed that the Government were entitled to the greatest consideration and a favourable verdict for the firmness and moderation and dignity with which they had conducted the affairs of the Conference at Constantinople. It had been said by a great master of the English tongue that "it is not in mortals to command success;" but he felt sure that the Government had done what they could to deserve it. He had not, however, risen to address their Lordships on that subject, but to ask two Questions which affected, he thought, the basis of the individual and personal liberty of every Englishman who sought recreation abroad, and liberty to travel under the passport of the British Foreign Secretary. In this instance they had a British officer who applied to the commanding officer of his regiment, that application was forwarded to the Brigade office, thence to the Divisional office, and thence to the Horse Guards, and from the Horse Guards to the War Office. [*A laugh.*] That, at least, was the system when he knew it, and he had some experience; and he did not know that the recent alterations in our military system had had the effect of simplifying matters —he should rather say the reverse. Well, this officer openly and avowedly sent in his application, which passed through all the necessary channels, and eventually what was called "Queen's leave" was granted to him to proceed to Russia and Asia. The officer left in the most undisguised manner and proceeded to St. Petersburg, where he took up his quarters at one of the principal hotels. He took letters of introduction from the Russian Ambassador here to his brother at St. Petersburg, and called upon the British Ambassador and the military attaché; and he (Lord Dorchester) could not imagine how more publicity could have been given, or a more open announcement of his intentions made than were made by Captain Burnaby. He proceeded by railway as far as the last station on the route, at Orenburg, and finally rode some 900 miles across the Desert. He was not bound, either as a British officer, or a man of honour, to specify to the Russian Government at what precise point he was going to emerge from their Empire into the neighbouring territory of the Khan of Khiva—but what he did, he did without taking advice or permission from the Russian Minister. In that consisted the sin and offence of Captain Burnaby. When he was at Khiva, he received a message by two Tartars telling him that he was to return to the fort of Petro Alexandrovsk, where a message was awaiting him from His Royal Highness the Commander-in-Chief. That he (Lord Dorchester) believed was the tenor of the message; but, at any rate, a message awaited him from England. Believing in the honour and truthfulness of the parties from whom he received this message, he accompanied the Tartars back to Fort Alexandrovsk. The two Tartars never allowed him out of their sight; and, further, he learned at Khiva that the Khan had heard of his enforced departure, and that a party was to escort him to the fort. It was little more than an open arrest—it was very like sending a common soldier with a file of men to the rear. At Petro Alexandrovsk a communication was made to him by the commandant, stating that he was to return to his country by the way which he came, and that he had strict orders to refuse him permission to proceed as he wished, either through Tashkend or by the Caspian Sea—than which he (Lord Dorchester) could not imagine more harmless routes. There might be some difficulty in determining the precise limits of the leave granted to Captain Burnaby, but he was not aware that he exceeded the limit permitted when he went to travel in Russia and Asia; and he did not think that the Commander-in-Chief would punish him for exceeding it by about 20 miles, the extent to which he travelled beyond the Russian boundary. Captain Burnaby had a great knowledge of Arabic, and was a first-rate Russian scholar; and he regretted that when he (Lord Dorchester) was in the Crimean War in 1854 he had not that knowledge, for he might say that the number of Englishmen in the Crimea who could speak the Russian language might be counted on their fingers. He did not think that the knowledge of languages was an objectionable acquirement to officers of the British Army—he thought that nothing could be better than that English officers should learn modern languages — it would be much better for them than the new-fangled examinations of officers. If they could only put them through their facings as a drill-sergeant did the recruits, it would be more useful than so many examinations. A very curious thing happened to him that day. He went to a certain scientific society to ascertain the exact distance that Captain Burnaby had travelled under his passport. The gentleman with whom he conversed said—"Of course, you have not come for the purpose of making the examination paper public—but your inquiry bears directly upon a question which is going to be put in an examination in one of the Departments." That gentleman gave him the distance from St. Petersburg to Khiva as about 2,300 English miles. The Questions he desired to put to the noble Earl were of serious importance, and he only put them from the sense of dignity which was due to officers in the English Service. No British subject should have been treated in this manner, far less a British officer so accomplished a linguist, and so conversant in the manners and customs of Oriental nations, who had such a laudable spirit of inquiry and so great intrepidity as had been exhibited by Captain Burnaby, who, travelling quite alone without any English servant, with merely those servants whom he could pick up in the country through which he was attempting to push his way—travelling in the East as Edwards, Burns, Abbott, Stoddart, and Conolly had done before him. Such an expedition was not considered a crime in the days of Lord William Bentinck, and he did not see it should be considered a crime now-a-days. He should not have put the Questions if he had been able to discover the reasons for the conduct that had been pursued. If their Imperial Ally had thought it necessary to stop Captain Burnaby, he should have done this before he left the Russian territory. It could only be for one of three reasons that Captain Burnaby had been sent back—having misconducted himself in this country; or secondly, having misconducted himself in that country; or thirdly, that the exigencies of the public service of this country required him at home. Those were the only three reasons which he could find for what had been done. He had no doubt the noble Earl would enlighten their Lordships on these points. He should regret if it were spread abroad in the East that a captain of the Queen's Guard—a man of high rank, who had become friendly with the Khan of Khiva, and, indeed, upon the best possible terms with him, for on the very morning he was recalled he had received as a present a dressing-gown from that Chief—should have been sent home in a manner in which a guardsman left a public-house with a corporal's picquet. He begged to ask the Questions of which he had given Notice.

THE EARL OF DERBY: I think your Lordships are much indebted to the noble Lord for putting these Questions, and for the amount of entertainment which he has extracted out of matter extremely simple, and not of very large or general interest. I am glad that the feelings which seem to exist in the noble Lord's mind are not shared in by your

Lordships generally, or, as I hope, by other persons out-of-doors. The noble Lord has spoken in high terms of the merits of Captain Burnaby; but he has evidently put a construction upon what has been done which is entirely different from that which the War Office, or those who are aware of all the circumstances, can accept as just. The noble Lord has spoken of the high character of Captain Burnaby, and with that I entirely agree. I have always heard him spoken of as a very efficient officer; and—though I am not acquainted with him personally—I believe that he is a very popular officer; and to these qualifications he adds the distinction of being an adventurous traveller and a successful writer. And, I may now say, once for all, without enlarging on the point, that there is absolutely no offence charged against him, nor the slightest stigma put upon him by the course which has been adopted. The noble Lord speaks of Captain Burnaby having been treated—as I understand—in an ignominious manner by Russian officers, or other persons in the Russian service who were appointed to accompany him on his return home. He also spoke of the conduct adopted towards Captain Burnaby by the Russian authorities, and of his being placed under arrest; and he likened the manner in which, he says, Captain Burnaby was brought back to this country to the taking away of a soldier from a public-house by his comrades.

LORD DORCHESTER: I read it from his book.

THE EARL OF DERBY: I have not had the pleasure of reading his book, and therefore cannot decide how far these remarks are justified; but what I can say on the subject is this—that if Captain Burnaby has any complaint to make against the Russian authorities, small or great, with regard to their treatment of him, let him make it to the Foreign Office, and we will take care that if he has in any way been improperly treated reparation shall be asked for. More than that I cannot promise. I cannot hold myself and the Government responsible for acts done by foreign Governments or their agents, when no complaint of those acts has reached us at the Foreign Office. The noble Lord went out of his way to vindicate the conduct of Captain Burnaby in matters in which I have never heard it attacked. I never denied that he had gone on his journey publicly, and not in a secret or underhand manner. I cannot, however, agree with the contention of the noble Lord when he says that the recall of Captain Burnaby from his travels was a personal slight put upon him, and that because the route he contemplated following was laid down, and he had permission to travel on leave, we had no right to interfere with his movements. If Captain Burnaby had not held an appointment under the State, but had been a private person, we should have had no right to interfere with his movements; but he was an officer of the Queen, to whom leave had been granted, and it is impossible to say of a person so situated, when political considerations render it necessary or desirable that he should be recalled, that it can be considered in the light of a violation of his personal liberty to require his return. The simple facts are these:—The first we heard of Captain Burnaby was from our Ambassador at St. Petersburg on the 18th December, 1875. He stated that a British officer had passed through St. Petersburg without communicating with the Embassy. There may have been some misunderstanding about that, as there is contradictory evidence on the point, but that is the statement which I received. Of course he had a right to report himself or not at the Embassy as he thought fit. But he applied direct to the Russian Minister of War, who promised to give him facilities for travelling throughout the Russian dominions, but said he could not give his consent to his crossing the Russian frontier into the independent Central Asian States, inasmuch as it would be impossible for the Russian Government to guarantee his personal security beyond the Russian lines. It was afterwards reported from St. Petersburg that Captain Burnaby had passed over the Russian frontier into Central Asia, and was then travelling among the independent States, visiting on his way the capital of Khokand, which country was at that time at war with Russia; and it seemed to us undesirable that a journey of that kind should be undertaken through those independent provinces bordering on the frontier of Russia by a person who was known to be a British officer; because it was certain to lead to misconstruction by Russia on the one hand, and by the native populations on the other. Captain Burnaby was a British officer, and I need hardly tell your Lordships that the notion of a man in that position travelling through a wild and dangerous country on his own account, without orders, for the mere love of information and adventure was a thing entirely unintelligible to Oriental people. He would be regarded as a political agent, and any denial of the fact, so far from causing it to be disbelieved, would only have created greater belief in its truth; any outbreak occurring in those parts would have been ascribed to the intrigues of this British agent; the mere presence of such a person amongst them would have led to rumours of foreign interference, and these rumours again, probably, to disturbances amongst the people. But more than that; if any mishap had befallen Captain Burnaby himself the Russian Government would have disclaimed all responsibility, and the British Government would have found it practically impossible to interfere with effect. The noble Lord says it will not redound to our credit when it is stated all over Asia that a British officer has been turned back on a journey of this sort; but I think it would be much less to our credit if a British officer, known to be such, had been murdered, or detained for ransom, by a barbarous people not far from the Indian frontier. It would not have been possible to have allowed such an insult to pass by without notice; yet it would have been practically impossible to send an expedition to release him or to obtain redress. That has been felt so strongly by the Indian Government on similar occasions that they have done, more than once, precisely what the Russian authorities did—they have discouraged and tried to prevent to the utmost of their power a British subject adventuring without permission amongst the semi-barbarous frontier tribes. I have nothing more to add; but will repeat that Captain Burnaby was not a private tourist, but an officer on leave, who was recalled for reasons of a political nature. As to the message sent to him, it was simply a message to return home. Of what was done to him by the local authorities I know nothing. As to the question by whose authority was he recalled, of course it was by the act of the military authorities; but the responsibility rests with the Foreign Office. As to the last part of the Question—by whom the cost of the telegram conveying the order to return is to be borne—I am not prepared to answer it further than this—that the telegram between London and St. Petersburg was on the public service, and will be charged upon the public funds. As to what was the precise mode of transmission between St. Petersburg and Khiva I am not aware; but I have no doubt that information can be obtained if the noble Lord wishes to have it.

The Earl of ROSEBERY asked how the information reached Captain Burnaby at Khiva?

The Earl of DERBY: I do not like to answer that question offhand, but my impression is that it reached him either through the Russian War Office, or direct from the British Ambassador at St. Petersburg. I may say, once for all, that I have never received at any time any communication on this subject from the Russian authorities.

IRISH PEERAGE BILL—(No. 15.)

(*The Lord Inchiquin.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord INCHIQUIN, in moving that the Bill be now read the second time, said, that the present measure was confined to the single object of putting an end to the further creation of Irish Peerages—a power which their Lordships were aware was vested in Her Majesty, with certain limitations, by the Act of Union. He had confined himself to this single object because, however desirable it might be to make other alterations in the laws relating to the Peerage of Ireland, he thought that after the discussion which took place last year on the Bill which he then introduced, considerable diversity of opinion had been shown to exist as to what alterations ought to be made. And even if their Lordships were to agree to any changes in respect to these laws, he thought it would be undesirable at the present moment to include them in this Bill, as the effect would very probably be to endanger its passage through the other House. There was sufficient reason why it was desirable that this Bill should become law, because at the present time there was one, if not two, vacancies which it was in the power of the Crown to fill up. If their Lordships agreed to the Bill as it now stood, the effect would be to place the Scotch and Irish Peerage on the same footing. Under the circumstances, he would not trouble their Lordships further, but would conclude by expressing a hope that Her Majesty's Government would be able to see their way to assist the passing of the measure through the other House of Parliament.

Moved, "That the Bill be now read 2ª."—(*The Lord Inchiquin.*)

LORD DENMAN said, that having last year opposed the Bill, he was sorry to speak against it as he had done on the 4th April, 1876. He could not easily change his opinion. He thought the whole subject should be dealt with; and if, unfortunately, the number of Irish Peers should fall so low as 28, there would be no electors left. He felt that his opposition would be useless.

LORD CARLINGFORD complained of the mode in which the Bill of last Session had been treated in the other House. He thought that, considering the circumstances that then occurred, the question should have been taken up by Her Majesty's Government. It was a measure of considerable constitutional interest, materially affecting the Act of Union, and its introduction had been sanctioned by the Crown in accordance with an Address to the effect which had been presented by their Lordships' House. In these circumstances, he was of opinion that the measure should have been brought forward under the responsibility of Her Majesty's Government, and should not be left this year, as it was last year, hanging about the two Houses of Parliament in a doubtful manner, resulting in a very lame conclusion. If the Bill was not to be in the hands of the Government, he hoped at least that they would give some assurance that it should be supported by the Government—he did not say in this House, but in the other House of Parliament—so that the House might feel an assurance that the change which the Government were, of course, now as much committed to as his noble Friend (Lord Inchiquin), or any who sat on the Opposition side of the House, should no longer be delayed; and that this measure, which, though a small one, was of great importance in its purpose, should become law.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at Seven o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 12*th March*, 1877.

MINUTES.]—SELECT COMMITTEE—Commons, *nominated.*

SUPPLY—*considered in Committee*—NAVY ESTIMATES AND NAVY EXCESS ESTIMATE, 1875-6.

WAYS AND MEANS—*considered in Committee*—Exchequer Bond (£700,000).

PUBLIC BILLS—*Second Reading*—Drainage and Improvement of Lands (Ireland) Provisional Orders * [108].

Committee—Report—Justices Clerks (*re-comm.*) * [5]; Universities of Oxford and Cambridge * [113].

Considered as amended—Third Reading—Treasury and Exchequer Bills [88], and *passed.*

CRIMINAL LAW—THE MURDER AT ROCHDALE.—QUESTION.

MR. JAMES asked the Secretary of State for the Home Department, in the case of the recent atrocity at Rochdale, where, according to the reports in the newspapers, the drunken murderer slowly kicked his wife to death, for which he has since been convicted and sentenced to death, If steps have been taken to ascertain whether drink was supplied to the murderer in any public house or beershop when already in a drunken state; and, if so, what means are being taken to prosecute those who have thus contravened the Law?

MR. ASSHETON CROSS, in reply, said, that before he had written on the subject, the local authorities, after due inquiries, had come to the conclusion that the convict had been improperly served with drink in a public-house while already in a drunken state. An information had been taken out against the offending publican and the case was to have been heard before the magistrates that day. Every endeavour would be made to obtain evidence so as to convict the offender.

POLICE—DEVONPORT WATCH COMMITTEE.—QUESTION.

Sir WILFRID LAWSON asked the Secretary of State for the Home Department, Whether the Devonport Watch Committee still adhere to the practice of

> "forming a Committee to select what reports, against publicans and beer retailers, shall be allowed to be summoned before the magistrates;"

and, whether the above practice has not been more than once condemned by Captain Willis the Inspector of Constabulary, and also by the Home Secretary himself; and, if so, whether he proposes to take any steps in the matter?

Mr. ASSHETON CROSS, in reply, said, he had received information from the clerk of the Devonport watch committee, relative to the practice of that body as to cases against publicans and beer retailers brought before the magistrates. According to it, the reports of the police were read at the regular weekly meetings, and proceedings were directed to be taken in those cases which did not appear to be of a frivolous character, and with regard to which there appeared to be evidence sufficient to secure a conviction. The committee had called his (Mr. Cross's) attention to a communication which they had received from Lord Normanby, when Home Secretary, who took the opinion of the Law Officers of the Crown as to the practice which prevailed at that time. Their opinion was that the justices did not appear to have any legitimate control over, or interference with, the watch committee, but that the committee did not possess any exclusive right of directing information to be taken out against offenders. It also appeared that the subject had been noticed by Sir James Graham. As far as he (Mr. Cross) was concerned, though the practice which prevailed at Devonport might be legal, he was bound to say that the exercise of the discretion which that practice involved did throw upon the watch committee great responsibility. He also thought that the Reports of Captain Willis, as well as the evidence given before the Select Committee on the Superannuation of the Police of last Session, would cast considerable doubt as to the manner in which that discretion was exercised. He (Mr. Cross) had himself stated last year that, in his opinion, it was an isolated case; but if it were not so, it would be his duty to take some steps in reference to it. He hoped the practice would not be carried to any excess.

MERCHANT SHIPPING ACT, 1876—EXPLOSIVE SUBSTANCES ACT, 1875—THE "THOMASINA M'LELLAN."

QUESTION.

Mr. EVELYN ASHLEY asked the President of the Board of Trade, Whether the Department is informed of the case of the ship "Thomasina M'Lellan," which, carrying passengers, sailed from London for New Zealand on the 3rd of June last, laden with 532 tons of coal and with 800 kegs of gunpowder, cases of matches and turpentine, all stowed in close proximity to the coal; and that when about six weeks out the coal ignited and the ship was only saved by throwing overboard all the gunpowder and by taking her into the harbour of Rio, where the remainder of the inflammable cargo was discharged, the cost of the jettisoned gunpowder having been charged to general average, so that the loss, instead of falling on those responsible, has to be borne by the owners of the cargo, or their underwriters; and, whether the Board of Trade does not consider itself authorized and bound to stop a vessel so improperly loaded?

Sir CHARLES ADDERLEY: Sir, I believe that the circumstances of the case are correctly stated in the Question. The ship, not being an emigrant ship, the case did not come under the Passengers Act, and therefore, she was not altogether prohibited from carrying explosives. The Explosive Substances Act of 1875 was certainly broken by the shippers in the mode of packing, and the improved bye-laws under that Act had not then been put in force by the Thames Conservancy when this ship went to sea in June 1876. The Merchant Shipping Act of last year makes it the duty of the Board of Trade to detain any ship going to sea improperly loaded; and with that provision, it being the interest of crews and shippers and underwriters to inform the Board of

Trade Inspectors of any such improper loading, and the improved Conservancy bye-laws, which the Board of Trade sanctioned last November, it is scarcely possible that such a case as this could occur again in the port of London.

THE ORDNANCE SURVEY.—QUESTION.

MR. PAGET asked the First Commissioner of Works, When the Revised Ordnance Survey for the county of Somerset will be completed and available for general use; by what date the whole of the Revised Ordnance Survey of the United Kingdom will be completed if the work be continued at the same rate of progress as at present; what would be the shortest time in which the Survey could be completed if sufficient funds were forthcoming for that purpose; and, what is the estimated sum of money required for such conpletion?

MR. GERARD NOEL, in reply, said, he would read the following communication, which he had received from the Director of the Ordnance Survey in regard to points on which the hon. Member desired information:—

> "The survey of Somersetshire according to present arrangements will not be completed in less than 15 years, excepting the northern portion of the county, which as it contains part of the Bristol coal-field will have precedence, and will probably be completed and available for general use in six or eight years. I estimate that it will take from 18 to 20 years to complete the cadastral survey of England and Wales. The time in which the survey could be completed might probably be reduced to 16 years by increasing the annual Votes for the survey; but this course does not seem desirable, since we cannot obtain trained surveyors, draughtsmen, and engineers from outside, and there would be an additional expense incurred in training new men. The probable cost is estimated at from £1,800,000 to £2,000,000.

SCOTCH HISTORICAL RECORDS—THE GRANT.—QUESTION.

MR. MACKINTOSH asked the Secretary to the Treasury, Whether the Grant of £1,000 to the Lord Clerk Register of Scotland for the publication of Calendars and Scotch Historical Records has been discontinued in whole or in part; and, if so, to state the causes of its discontinuance?

MR. W. H. SMITH: The grant, Sir, has not been discontinued, either in whole or in part. If the hon. Gentleman refers to the Estimates of last year, he will find there is there a Vote for £1,000, and a similar Vote for £1,000 is proposed for this year. The whole of the money was not spent in 1875-6, in consequence of the death of one of the editors employed in the work, and therefore a considerable portion was surrendered to the Exchequer.

MERCHANT SHIPPING ACT, 1876.—UNSEAWORTHY SHIPS.—QUESTION.

MR. E. J. REED asked the President of the Board of Trade, If he would state whether one-half of the ships detained (by Board of Trade officers) as unseaworthy were ships classed at Lloyds; if he has observed that several of the ships classed at Lloyds were detained for "overloading," for which Lloyds were not responsible; and, whether the Parliamentary Returns will in future be so prepared as to enable the House to distinguish between ships arrested when under repair, or in port for purpose of repair, and ships otherwise arrested?

SIR CHARLES ADDERLEY: Sir, my statement that one-half of the ships detained for defective hulls and equipments by Board of Trade officers are ships classed at Lloyds, is taken from a Return of vessels detained during the three months of November, December, and January, since the Act of last year came into force. The following are the details: — Fifty ships were detained during those three months after the Act of last year came into force in November. Of these, 22 were classed. Twelve were detained for defective hulls and equipments, of which six were classed at Lloyds. No ships are detained under the Act of last year while under repair, or in port for repair; but only when proceeding to go to sea.

MR. E. J. REED gave Notice that on the Vote for the Board of Trade Surveyors he would call attention to the subject.

HARBOURS OF REFUGE—THE NORTH EAST COAST.—QUESTION.

SIR EARDLEY WILMOT asked the President of the Board of Trade, Whether his attention has been directed to the very disastrous effects of the late severe gale on the north-east coast, whereby in one night, as reported in the

"Standard," thirty-six fishing boats were wrecked and 215 men and boys were drowned, leaving, as stated, 88 widows and 164 young children destitute; and, whether, having regard to this and numerous other disasters to shipping, Her Majesty's Government will provide, at the national expense, additional harbour accommodation on that coast?

SIR CHARLES ADDERLEY: I must say, Sir, that I think a worse case could hardly have been cited as an argument in favour of a harbour of refuge on the East Coast, for the gale referred to was partly from the West and West-north-west. The boats fishing were on the Dogger Bank, off the Dutch coast. If the hon. Baronet thinks that, under those circumstances, they could try to beat up against the gale to get to a harbour of refuge on the East Coast, I must say I cannot agree with him. However, as regards the general question of Harbours of Refuge, Her Majesty's Government and their Predecessors have both expressed a decided opinion that the money for these harbours should not be provided at the national expense, but only aided as far as may be by loans under the Harbours Act.

OXFORD UNIVERSITY BILL—PETITIONS.—QUESTION.

MR. GOSCHEN asked the Secretary of State for War, Whether a Petition has been presented to Lord Salisbury from resident Graduates in Oxford, with reference to the removal of all clerical restrictions upon College emoluments; and, if so, whether that Petition can be laid upon the Table of the House; whether there will be any objection to take the necessary steps to obtain, for the information of this House, Copies of the Petitions of various Colleges in Oxford, presented to the House of Lords or to the Chancellor of the University of Oxford, with reference to the Oxford University Bill last year?

MR. GATHORNE HARDY, in reply, said, he had communicated with his noble Friend (Lord Salisbury), and had ascertained from him that a memorial had been presented to him, which the right hon. Gentleman no doubt had seen, signed by 109 resident graduates on the subject. That, he presumed, was the document to which the right hon. Gentleman referred, and, there being no objection, he would be ready to facilitate in every way its production, if the right hon. Gentleman would move for it. His noble Friend had no other memorial except that printed document which had been generally circulated. As to the Petitions to the House of Lords, it would be thought very irregular to ask for them, and most of them had, he believed, been laid in the same form before the House of Commons. Certain Memorials, presented to his noble Friend by different Colleges, were moved for in the other House last year; and if the right hon. Gentleman would move that they be communicated to the House of Commons, there would be no objection to that course. While he was speaking on the subject of the University Bill, he might state, for the convenience of hon. Members, that he proposed, with the consent of the House, to go into Committee on the Bill *pro formâ*, with a view of inserting Amendments in it, and so shortening the proceedings when the time came for taking the Committee in the regular way.

RUSSIA—THE POLISH PROVINCES. QUESTION.

MR. O'CLERY asked the Under Secretary of State for Foreign Affairs, If it is intended by Her Majesty's Ministers to urge upon the Czar the desirability of effecting such reforms and ameliorations in the Government of his Polish subjects, by the introduction of representative and constitutional institutions as may serve by way of precedent for the guidance of the Government of the Sultan in the work of regeneration in the Ottoman dominions, so earnestly desired by the Emperor of Russia in the cause of humanity and civilization?

MR. BOURKE: In reply to the hon. Member, I have to state that it is not the intention of Her Majesty's Government to make any such representations to the Emperor of Russia.

THE HOME OFFICE—RECEPTION OF DEPUTATIONS.—QUESTION.

MR. MITCHELL-HENRY asked the First Commissioner of Works, Whether any steps have been taken or will be taken, at the Home Office, to improve the accommodation for the reception of deputations?

MR. GERARD NOEL: In answer, Sir, to the Question of the hon. Gentleman, I am happy to inform him that, with the consent of my right hon. Friend the Secretary of State for the Home Department, an arrangement will at once be made to improve the accommodation for the reception of deputations. The present reception room will be considerably enlarged by adding to it one of the adjoining rooms. I trust this will be found to be satisfactory, and afford ample accommodation for the large and important deputations which attend the Home Office.

COMMON LAW COURTS (IRELAND).

QUESTION.

MR. PARNELL asked the Chief Secretary for Ireland, If the Chief Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer at Dublin have presented a Memorial or other document to Her Majesty's Government respecting the patronage to the principal offices in each of those Courts, which has been heretofore vested in the Lord Lieutenant; and, if so, whether he will lay upon the Table of the House Copies of such Memorial or document, or state the reasons alleged by the Memorialists why such transfer of patronage should be made?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), (for Sir MICHAEL HICKS-BEACH): The Government, Sir, has received no such memorial as that referred to in the Question of the hon. Gentleman from the Chief Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer at Dublin. The only official communication made on the subject to the Government was contained in a joint letter of all the Common Law Judges, including the Chief Judges, dated April 27th, 1876. That was printed last Session as a Parliamentary Paper, on the Motion of the right hon. and learned Baronet the Member for Clare.

UNITED STATES—EXTRADITION—BRENT'S CASE.—QUESTIONS.

MR. O'SHAUGHNESSY (for Mr. MELDON) asked the Secretary of State for the Home Department, At what date Charles Ennis Brent was surrendered to the United States Government; whether there was any consent or undertaking on the part of the United States Government not to try Brent for any crime save that for which he had been committed for extradition; whether the cases of Winslow and Gray in any respect differed in principle from that of Brent; and, whether Winslow and Gray have been surrendered; and, if not, why they have not been committed for extradition?

MR. ASSHETON CROSS, in reply, said, that Charles Ennis Brent had been surrendered to the United States Government on the 20th of December, 1876, under the circumstances stated in the Papers, "North America, No. 1," which had been issued. There was no direct undertaking on the part of the United States Government; but as a matter of fact Her Majesty's Government knew that no additional crime would be charged against the prisoner. There was no difference in principle between the case of Brent and those of Winslow and Gray, but they, having gone out of the country, could not be surrendered.

MR. O'SHAUGHNESSY (for Mr. MELDON) asked the Under Secretary of State for Foreign Affairs, Whether there has been any further correspondence respecting extradition with the United States Government since the month of December last; and, if so, when the same will be laid before the House?

MR. BOURKE, in reply, said, there had been some further correspondence since the time specified in the Question of the hon. Gentleman; but as the negotiations on the subject had not been concluded, he did not think it would be advisable to lay it on the Table of the House at the present moment.

THE CATTLE PLAGUE—OUTBREAK AT HULL.—QUESTION.

COLONEL KINGSCOTE asked the noble Lord the Vice President of the Council, Whether it is true that there has been a fresh outbreak of Rinderpest or Cattle Plague since that which occurred at Hull?

VISCOUNT SANDON: I very much regret, Sir, to say that my hon. and gallant Friend is right in his surmise. On Friday, the 9th instant, in the afternoon, a Report was conveyed to the Privy Council through the local Inspector, that a case of cattle plague had been discovered in Lincolnshire, about nine miles from Great Grimsby. The Chief Inspector of the Privy Council was sent down on Saturday morning, and he reports that there is no doubt whatever of the disease being cattle plague. There were 24 animals on the farm, several of which have been affected. They are all being slaughtered now, and the Inspector remains on the spot to investigate the origin of the outbreak.

PARLIAMENT — ORDER OF PUBLIC BUSINESS—THE EASTER RECESS.

QUESTIONS.

MR. BERESFORD HOPE asked, Whether the Chancellor of the Exchequer was prepared to state the course of Business for the next fortnight, and when the Easter Recess would commence?

MR. HANKEY also asked the right hon. Gentleman, Whether there would be any inconvenience to the Government in commencing Business at a quarter past 4 o'clock?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I propose, as it is at present rather early in the Session to talk of commencing Business at a quarter past 4, to defer my answer to the Question asked by the hon. Gentleman who has just sat down. With regard to the course of Business for the next fortnight, I do not know that I am in a position absolutely to foretell what the House may do. The present intention of the Government is to take Supply on Thursday next, and on Monday we hope to proceed with the Committee on the Prisons Bill. I am not able to say what length of time the House may take for that Business; but if we shall have succeeded in disposing of that Bill on Monday, the Universities Bill, which stands next in order, will come on; but I do not like to forecast too much. Now, with respect to the Recess, as I stated the other day, something will depend upon the progress of our financial Bills; but if we make the reasonable progress with them that we anticipate, I hope the House may be able to adjourn on Tuesday, the 27th instant, in Passion Week, until Thursday, the 5th of April. I trust the House will not object, in that case, to give facilities for proceeding with the Business which the Government desire to dispose of before the Adjournment for the Easter Recess.

LORD ESLINGTON asked, Whether it was the intention of the Government to proceed with the Maritime Contracts Bill before Easter? He believed there was considerable objection on the part of hon. Members to the referring of that important Bill to a Select Committee without an adequate debate upon it.

THE CHANCELLOR OF THE EXCHEQUER: Sir, with regard to the Maritime Contracts Bill, I am sorry to find that there is not so much probability of its speedily passing the second reading as I had at one time anticipated; but, of course, if it is thought desirable to have a discussion upon it, we must arrange to fix the second reading for a time when the Bill may be fully considered. Whether that can be done before Easter or not, I am not in a position to say.

In reply to Mr. BERESFORD HOPE,

THE CHANCELLOR OF THE EXCHEQUER said, the Easter holiday which he had indicated certainly was longer than a week, and he hoped that at Whitsuntide the House would be able to take a longer holiday.

SIR JOSEPH M'KENNA asked the hon. Gentleman the Secretary to the Treasury, Whether the Valuation of Property (Ireland) Bill would be taken before Easter?

MR. W. H. SMITH: I hope to be able to take the second reading of that Bill, but it will depend upon the feelings of the Irish Members.

SUPPLY—NAVY ESTIMATES.

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVAL PENSION FUND.

OBSERVATIONS.

CAPTAIN PRICE, on rising "to call attention to the proposed scheme for raising a fund to provide pensions for the widows of seamen in the Royal Navy and the Royal Marines," said, that last year, when the right hon. Gentleman the First Lord of the Admiralty had introduced the Navy Estimates he had been kind enough to say that this subject should have the careful consideration of the Board, so that he had the authority of that right hon. Gentleman for considering it a question of considerable importance. It was hardly necessary to remind the House of the peculiar dangers to which our seamen and Marines were exposed in war and peace, or of the poverty and distress which followed in the train of such fearful disasters as the blowing up of the *Thunderer* and the foundering of the *Captain.* It was, however, only when disasters of that character occurred that a general sympathy was aroused, and the public acknowledged the claims which the widows and orphans of the sufferers had upon them. These women and children formed no small portion of the paupers in the workhouses at Portsmouth and Devonport. There were, too, the widows of those men who died in such unhealthy climates as the West Coast of Africa, while they were putting down the Slave Trade. Again, there were the widows and orphans of men who were drowned at sea, and of those who were killed by accident. Whenever a subscription was got up on behalf of these poor people, it was a remarkable fact that invariably a large amount was subscribed by the men themselves. For instance, in the case of the *Thunderer*, there was a subscription of about £10,000, and of that sum at least one-fourth was raised by seamen and Marines. A very large sum was also raised in the seaport towns, and the remainder chiefly in London. Little or nothing, however, was contributed by the inhabitants of the great inland towns which were the centres of our commercial wealth. He did not complain of this, but he appealed to the Representatives of those towns to assist him in securing the object he had in view, inasmuch as the Navy had done much to enable them to amass their wealth, and to give them the peaceable enjoyment of it. The seamen and Marines were unwilling to be continually appealing to charity, and therefore some 10 or 12 years ago a number of petty officers conceived the idea that the men, by subscribing in large numbers a small amount monthly, might raise sufficient money in the aggregate to provide pensions for their widows and orphan children. The only question for the House to consider was, whether they would be able to do that of themselves, or whether they should have the assistance of others. It was his opinion that they could not carry out their object without assistance; and he would now proceed to show how that assistance could be given to them without putting the country to the expense of a single halfpenny—nay, in a way which would put a large sum annually into the pockets of the taxpayers. The movement to which he was calling attention did not make much progress until the great disaster of the *Captain,* in 1870, gave an impetus to it, and several eminent naval officers took it up. Schemes more or less elaborate were forwarded to the Admiralty, but various objections were raised to them. Finally, in 1874, the men again put their heads together and produced a scheme which was sent to the Admiralty, and which the right hon. Gentleman the First Lord alluded to in 1876. In the introduction to that scheme it was stated that the men desired a deduction to be made from their pay in order to enable their widows to receive a pension at the rate provided by the accompanying rules. The first rule was that every man should pay 6*d.* a-month as long as he received any pay or pension from the Service. Then it was proposed that a widow should be entitled to a pension of £24 a-year, and that certain amounts should be given to the children. The Admiralty were pleased with the scheme, and sent out a Circular, the replies to which showed that no fewer than 22,000 men agreed to subscribe to this fund on the basis proposed. The scheme was next submitted to Mr. Finlaison, the eminent actuary, who issued a clear Report, the pith of which was that the amount the men proposed to subscribe would not be nearly sufficient for the purpose. The men were disappointed, but they were not disheartened, and accordingly set themselves to re-consider the matter. They accordingly resolved to modify the scheme, and agreed that they would subscribe 1*s.*, or even 1*s.* 6*d.* a-month if necessary; that they would be content with a pension beginning with £20 a-year to widows; and that the children should not be included in the scheme. This amended scheme had been presented to the Admiralty, but he did not yet know what Report had been made on it, or with what amount of favour they regarded it. He had, however, made certain calculations which showed what would be the probable working of the fund. Taking an average force of 20,000 men, of whom 15,000 were on active service and 5,000 on the pension list—which would really represent the number on the pension list for many years—the death-rate in this force, according to the last Returns, would be about 285—namely, 135 on active service and 150 on the pension list. It was not proposed that the latter should be called upon to subscribe anything, that was, the existing pensioners; but for the future the men who passed from active service on to the pension list would be subscribers. What number of widows would these men leave? It was almost impossible to ascertain the number; but taking the *Captain* as a test, the 433 seamen and Marines lost in her had left 120 widows, or less than one-third of the whole number. One-third of 285 would be 95, but taking a large margin, he would assume that 120 widows were likely to come on the fund every year. Allowing a reduction of 6 per cent in the course of the year for death and re-marriages, which would disqualify them for taking advantage of the fund, he calculated that the number of widows at the end of the second year would be 233, and so the number would go on increasing by the annual increment of 120, minus the 6 per cent, until, at the end of the 90th year, there would be about 2,000 widows on the fund, and from that year the numbers would be perpetually recurring. For each widow there would be required a pension of £20 per annum, and the maximum charge on the fund for these widows would be £40,000. Towards this sum he proposed that the men should subscribe 1*s.* 8*d.* a-month, or £20,000 a-year, which should be supplemented by another £20,000 from extraneous sources, making in all £40,000 per annum. The pensions for the first year would amount to £2,400, leaving a balance on the year of £37,600. On this he would allow 3½ per cent interest, which would bring it up to £38,916. So it would go on accumulating until, at the end of the 17th year, the estimated amount of accumulation would be £571,000, after defraying the charges of the year. The interest on this accumulation at 3½ per cent would be £20,000, just equal to the grant from extraneous sources, which might then be dropped. Now, he might be asked what were the extraneous sources from which he proposed to raise the second £20,000. There were, as a rule, fewer fines in the Navy than in the Army. In the Army, for example, there was an extensive system of fines, amounting to £90,000 a-year, of which £35,000 went back into the soldiers' pockets in the shape of rewards for good conduct and long service. In the Navy, however, the fines only amounted to £2,500 a-year. Here was one source. Then the Government now gained no less than £65,000 a-year from the difference between the money paid to the men in respect of provisions saved by them and the actual cost of those provisions. Surely the Government were not acting quite fairly towards the men if they surrendered provisions worth 1*s.* and the Government only returned them 9*d.* A considerable part of this sum might be applicable towards the purpose he had mentioned. Then there were the clothing and unclaimed money of men who died at sea, and the effects of deserters. These would produce £3,000. The skimming from the boiling of the men's provisions now produced £1,000, but as the men had no interest in saving it, a great deal now went overboard. This honestly belonged to the men, as it came from their own provisions, and would produce another £2,000. These amounts, taken together, would fully satisfy the demand. The desire of the men that such a fund should be started was very much increasing throughout the Navy, and, if established, it would effect a saving to the country instead of involving any loss, because it would lessen the number of desertions. The desertions in the Navy numbered 1,000 a-year, and it was variously estimated that each man cost the country from £200 to £300 or £400 a-man. Taking the loss at £150, which he thought was quite within bounds, we had here a total of £150,000 a-year, one-half of which he believed might be saved by establishing a widows fund. In the port of Plymouth alone he found that 117 widows of seamen were receiving parochial relief. With a scheme of the kind which he proposed, we should encourage in our seamen provident habits, general respectability, and matrimony; for though marriage might be of doubtful advantage as regarded the

Army, in the Navy he thought the more married men we had the better. Such a scheme would also attract the best men from the Merchant Service, which was very desirable. There was only one serious objection which he had heard of to the proposal. It might, no doubt, be said that if they did this for the Navy they should also do it for the Army; but it was to be remembered that, while each Service had some advantages which the other had not, the difference in those advantages was entirely a difference in kind, and not a difference in degree. He did not wish that the Navy should have greater advantages than the Army; but there were many reasons why they should look upon the Navy, in a totally different aspect, in this respect, from the Army. The Army might be described as a short-service corps, which the Navy was not; and, of course, this scheme would apply only to the continuous-service men of the Navy. Moreover, soldiers were often allowed to have their wives with them, and their children were supported and educated by the State. As seamen were deprived of most comforts during their lives, they were at least entitled to ask the assistance of the State for those they left behind them. In conclusion, he begged to thank the House for having heard him with so much patience. He thought he had said sufficient to show that the subject was one which deserved attention; and he believed the plan which he had sketched contained within it the germs of a system of co-operation which would be beneficial to the country and productive of great advantages to the Navy, and to the seamen whom we employed.

NAVY—H.M.S. "VANGUARD."

OBSERVATIONS.

DR. CAMERON, in rising to call attention to the history of the Admiralty Negotiations for the raising of H.M.S. "Vanguard," said: The loss of the *Vanguard* occurred on the 1st of September, 1875. She had sunk on the Kish Bank in such a depth of water that it would evidently be a matter of the greatest difficulty to raise her. The tide swept over her at four miles an hour, carrying in its stream the sails and cordage in such a manner as sometimes to endanger the lives of the divers who went down to the wreck. On two separate occasions were divers hauled up apparently lifeless; and on one of these it required the united strength of seven or eight men to pull the diver clear from the wreck in which he had got entangled. And these risks had to be encountered, not in connection with the most difficult, but most important operation of surveying the hull of the vessel and the bed on which she lay, but in connection with the comparatively easy work which lay above her deck. A survey of the vessel was of course attempted, and on one occasion, according to the Annual Register, two divers

> "successfully reached the hull, which lies in deep darkness, and measured the hole in the side by means of notching a wooden lath carried down for the purpose and placed against the aperture. The Denayrouze lamp," the account goes on to say, "which had been materially useful in removing the rigging of the ship, was not taken down on this occasion, inasmuch as the divers required to use both hands in endeavouring to escape entanglement by some stray rope."

Well, Sir, it is evident that the survey thus described could hardly be regarded as a very satisfactory one. Now, my enumeration of blunders in the conduct of this business commences at this point, and I have here to point out that, notwithstanding the all-importance of obtaining an accurate survey of the vessel, the authorities neglected what was probably the most obvious means of securing information. The depth of water in which the vessel lay was 120 feet—a depth at which it could hardly be expected that the Dockyard divers, who are not accustomed to deep-sea work would find themselves at home, and at which only divers of exceptional experience, expertness, and daring could hope to exceed. Gentlemen conversant with salvage operations tell me that under such circumstances the choice of men is very restricted, and that they would have to pay the proper men as high as £5 per dive to induce them to undertake such a task. The Admiralty, however—if I am rightly informed—never attempted to avail themselves of the assistance of these experts, and contented themselves with the services of Dockyard men utterly unaccustomed to deep-water work, and paid only a few shillings per hour. The result was that I am assured by practical men that they regard the Report as to the vessel being sunk into the sand, which was put forth as the reason for the Admiralty abandoning the attempt to raise her, as unreliable, and probably founded in error. On the 6th of December, the Admiralty advertized for tenders for raising the *Vanguard* and delivering her in dock, on certain conditions. Among these were—1st, the very necessary one that all parties tendering should furnish satisfactory evidence of their financial ability to undertake the work; 2nd, That no payment was to be made to the contractor, nor any claim to payment arise, until the delivery was complete; and 3rd, That in the event of the rate of progress not being satisfactory to their Lordships, their Lordships should be at liberty to cancel the contract, and that the parties whose tender should be accepted should sign a contract to be prepared at the Admiralty, binding them to give effect to their tender on the conditions advertized, and such further or other conditions as might be agreed on. All tenders were to be for a lump sum, and they were to be sent in not later than February 1st of last year. My information as to the result of this competition is devived from an article in *The Standard* newspaper of April 10th, 1876. According to that article, the advertizement for tenders had elicited 450 replies, and a contract for raising the vessel had been entered into with a French engineer who had for a considerable time been resident in England. The plan on which the vessel was to be raised was described as being a combination of air balloons, inflated in the interior of the vessel, and *caissons* attached to her externally; but the writer added that the plan proposed had never been tried in practice. The article then proceeded to give quotations from the agreement entered into between the French engineer and the Admiralty, of which Articles 10 and 11 were as follows:—

> The [Admiralty] Inspector appointed to watch the operations, should he disapprove of any procedure on the part of the contractor, may give him notice to discontinue the work; and, if the Admiralty wish, all operations are to cease and the plant to be removed; and should the Admiralty find the *modus operandi* inapplicable, they are at liberty to cancel the agreement."

The article concluded that the contractor was to commence operations in earnest in May. Who, then, was this French engineer who had been successful among 450 competitors, who had such confidence in his scheme that he was prepared to set to work without any advance, and venture the success of his project at any moment up to its full completion on the irresponsible caprice of an unknown Inspector to be appointed by the Admiralty? The engineer in question was a M. Louis Othon, of 8, Victoria Chambers, Westminster, formerly acting partner of Messrs. de Valbams & Company, a concern carrying on business as a long firm —or something very like it—in the City, and at that moment hopelessly insolvent. He knew nothing whatever about salvage operations, and, if I am rightly informed, had adopted the plan which commended itself to the Admiralty from one of the numberless specifications of inventions connected with the raising of ships, procurable from the Patent Office. What conceivable motive—hon. Members will ask—could such a man have in putting in such a tender? Sir, M. Othon was too experienced a financier not fully to appreciate the importance of credit. His credit had of late been very much out at the elbows, and he believed that the confidence reposed in him by the Admiralty would result, if not in the raising of the *Vanguard*, at least in the restoration of a marketable value to his note of hand. I think, Sir, it was an unfortunate nobleman, not unknown to the hon. Member for Peterborough (Mr. Whalley), and at present languishing in Dartmoor Prison, who remarked that Providence having endowed some men with money and no brains, and other men with brains and no money, surely the men with money and no brains must be intended for the benefit of those with brains and no money. It was this great principle which M. Louis Othon, the unknown French engineer, proceeded to carry into practice, at the expense of the august and redoubtable Lords Commissioners of the British Admiralty.

Mr. WHALLEY rose to say that as the hon. Member had referred to a sentiment said to have been expressed by the unfortunate Tichborne Claimant, he begged emphatically to deny that the Claimant had ever in speech or writing given expression to such a sentiment.

Dr. CAMERON: I am sorry that the hon. Member has dispelled my illusion as to the authorship of the maxim I quoted, for I have always considered the sentiment so tersely expressed as one of the most remarkable sayings of a very remarkable man. However, the manner in which

M. Othon proceeded to turn his negotiations with the Admiralty to account was so ludicrous, that I trust the House will pardon me if I describe it at some little length. At the very time when the Admiralty were advertising for tenders—in December, 1875, before M. Othon became a civil engineer, when he was still a member of the long firm, ordering everything that was offered to him, and paying in acceptances—he had obtained, under the name of H. de Valbams & Co., a consignment of corks from a Bordeaux cork merchant, and paid for them in the usual manner, the acceptances being—as usual—dishonoured. As de Valbams & Co., M. Othon had apparently found corks a commodity easy to float in all states of the market, and possibly he thought they might assist him in floating the *Vanguard*. At all events, no sooner had he acquired a reflected credit from his dealings with the Admiralty, than he cast his eyes once more to Bordeaux, and made a bid for another consignment of corks. Accordingly, he wrote the Bordeaux merchant a letter dated May 6, 1876, of which I hold a copy. In this letter, after informing the cork merchant that he had formerly been a partner in De Valbams & Co., and reminding him that he (the cork merchant) held the acceptances of that firm for about £300, M. Othon goes on to say—

> "Seeing that these all bear the signature of H. de Valbams & Co., adhibited by me, and that said house is insolvent, owing to my having retired, and seeing that I have sccepted the responsibility of this affair, I wish to fulfil the engagements towards you into which that house has entered. You cannot be ignorant that I hold a contract from the English Government for the raising of the *Vanguard*, for which I receive £50,000 for the ship alone, beside 50 per cent on all that is found in her, such as guns, boats, provisions, cables, munitions, arms, effects, plate, money, &c., everything, in fact, which is not the carcase of the ship, and as the value of these is estimated at £200,000, there is £100,000 to add to the £50,000, or in all £150,000. The salvage operations will not cost more than £15,000, and as I divide my profits with the capitalists who assist me, in this affair, there is still a sum of £60,000 at least which remains for my share. . . . . Here, then, is what I propose. One may find people who will give one £20,000 to raise the *Vanguard*, but one can find few people to lend one £300 to pay one's debts, and, moreover, you can hardly ask for £300 to pay private debts from gentlemen who guarantee £20,000 for a great affair like this. In short, you have notes of the house of H. de Valbams & Co. for about £300. I do not expect to be able to meet these notes at their maturity, because my work will not be sufficiently advanced; and what I propose is that you should send me £300 worth of corks, to cover which I shall give you my acceptance at 3 months, and for the notes in circulation I will pay £150 when they fall due, and will renew for the other £150. It is understood that the bills shall bear my signature, L. Othon, civil engineer, 8, Victoria Chambers, Westminster, a circumstance which will assist their negotiation, for now people in France as well as in England know the Laureate of the Admiralty, and my reputation has a value of its own. It is of course a speculation, but at the price which you charge for your corks you can afford to risk something.
>
> (Signed) "L. OTHON.
>
> "8 Victoria Chambers, Westminster."

The cork merchant, however, had had enough of business with Messrs. de Valbams & Co., and instead of forwarding to him more corks, took steps for the capture of M. Othon, sending over among other documents the letter I have read, and an affidavit in which he plainly states "that the manner in which his goods had been obtained was simply a fraud." Now, Sir, might I ask the right hon. Gentleman how it came that the Admiralty—the first condition in whose advertisement for tenders was that the tenderer should satisfy them of his financial ability to carry out his proposal—might I ask how it came that the Admiralty allowed from February to May to elapse without satisfying themselves as to the financial inability of M. Othon to perform what he was so ready to undertake? Can it possibly be true, as stated in *The Broad Arrow*, that he referred their Lordships to a bank in his native town, but that they never took the trouble to inquire whether that bank had any existence? Well, towards the end of June last, I observed in the papers a statement to the effect that the Admiralty had definitely adopted Dr. Rutherford's plan for raising the *Vanguard*, and had advertised for tenders, and, in consequence, I asked the right hon. Gentleman whether the statement was true, and, if so, whether the contract alleged to have been entered into with M. Othon had been rescinded. In reply the right hon. Gentleman informed me that no definite contract had been concluded with M. Othon, although there had been negotiations with him. These negotiations had, however, been broken off, and the Admiralty were at that moment negotiating with two other parties. One of the parties was Dr. Rutherford, of Newcastle, with whom, I understand, the Admiralty kept up communications for several months, at one time objecting to the sum he named, then when he had consented to modify his demand, laying down an entirely new basis for negotiations, and finally breaking off with him altogether. The other day I wrote to ask Dr. Rutherford some particulars of the negotiations with the Admiralty, and this is his reply—

> "Most of the Admiralty letters to me are in London, otherwise I should send you a copy of the whole correspondence, which extended over three months or more. I got out working drawings and specifications, which were furnished to the Admiralty. Gentlemen of financial experience and standing undertook the establishment of a company to carry out the contract if I got it. And to this hour I do not know why the negotiations fell through. No reason whatever was assigned. I cannot conceive anything more unbusinesslike, or anything more fitted to drive away men of ability and integrity from Admiralty contracts. The entire history reveals the utmost infirmity of purpose."

At length, on August 11th, their Lordships once more advertized for tenders, this time for the purchase of the vessel as she lay. This time the conditions of the purchase were two-fold; first, that two-thirds of the purchase money should be paid within 14 days of acceptance of offer, and the remaining third within six months afterwards; and secondly, that the buyer was to hand over to the Government all guns, projectiles, anchors, and chain cables brought from the wreck at certain fixed prices. Now the prices offered were very far below the market value. For ten nine-inch 12½-ton guns, the value of which would not be far short of £10,000, it was proposed to pay only £2,500; and for the four 64-pounders, four 12-pounders, and one 9-pounder, which constituted the rest of her armament, only £384 for the lot. Nine-inch projectiles were to be taken over at £5 per ton, and chain cable at £1 1*s*. 6*d*. per ton. Tenders for the purchase of the vessel under these conditions were to be lodged not later than November 1st. I need hardly say how important it was that a definite arrangement as to the tenders in terms of this advertisement should be come to without delay, so as to admit of preparations being made for the salvage operations during the approaching summer. In so simple a transaction as the sale of a vessel as she lay, it should have been an easy matter to select the highest bidder, and the fact of two-thirds of the purchase-money requiring to be deposited within 14 days should, one would think, have limited the amount of delay possible. And yet one tender having been accepted—again, I understand, from a gentleman financially unable to carry out his undertaking—instead of insisting on the deposit of two-thirds of the purchase-money within 14 days according to the terms of the advertisement, their Lordships prolonged this term again and again, and apparently only broke off the negotiations finally in the middle of January, after another two months of invaluable time had been wasted. In January they opened up negotiations with Captain Coppin, a gentleman of very large experience in raising sunken ships, and an understanding so definite was arrived at that I believe the necessary capital was in large part raised, and Captain Coppin and his friends believed that nothing remained to do but to sign the contract. The terms of this proposal were, that the contractors should pay for salvage the sum of £20,000 for a complete transfer of the vessel with everything on board; that if the vessel was raised and placed in dry dock the Government was to have the option of purchasing her for £175,000, and that if she was not raised Government would allow the contractors two-thirds of the value of the guns and such other stores as might be recovered. Well, here again precious time was wasted in the most wanton manner, and when the contract came to be drawn up, it was found to contain conditions exposing the contractors to constant Admiralty interference, and providing that valuations, by whatever official they might appoint, should be taken as final — conditions which were never contemplated by the contractors, and to which no prudent man would submit. The result is, that we are now near the middle of March, another couple of months have been wasted in these negotiations, which, so far as I know, have as yet resulted in nothing, and practically, I fear, another summer has been lost. The *Vanguard* will certainly not improve by her long sojourn at the bottom. A lightship has to be stationed over her to warn passing vessels off the wreck, and only the other day an hon. Member asked the right hon. Gentleman a Question relative to the wreck of a vessel and the loss of several lives through her having mistaken the light placed over the *Vanguard* for the Kish light. What I protest against is the utter business incapacity which has been manifested throughout these negotiations, the result of which is that, after 18 months' delay, no single step has been taken to recover any of the £500,000 worth of national property which lies on the Kish Bank. The Admiralty have naturally no experience in such salvage operations. Why did they not go to the underwriters and find out some man who had? If they had got such a man—and from everything I hear they could not have got a better man than the very Captain Coppin with whom they are now negotiating—if they had followed the practice of underwriters, defraying his outlay and paying him either a percentage on salvage or a certain sum on the successful docking of the vessel, I venture to say that the chances are the *Vanguard* would have been got up last summer. But after a brief and feeble effort the Admiralty chose to abandon the attempt themselves, and advertised the vessel for sale. I confess I cannot see the smallest difficulty in the conduct of such a negotiation as the sale of the vessel as she lay. The Admiralty need care nothing about the plan of the contractor, nor the probability of success. All they had to do was to select the highest solvent bidder. But they must needs encumber the contract with all sorts of conditions which no rational man would undertake. In the worst case, I am assured there is little doubt about the possibility of getting up the guns and stores. Well, if the contractor was allowed to deal with them as he liked, he could afford to pay a price for the wreck on the chance of recovering her altogether, and the all but certainty of recovering so much stores as would repay a great part of his outlay. But no, the Admiralty must stipulate at one time that the guns, shot, cables, and so forth, must be handed over to them at a mere fraction of their value; at another, that the hull must on no account be broken up. Now, Sir, I do not attribute the bungling which has taken place in this affair to anything worse than carelessness and want of business aptitude among the officials entrusted with the negotiations, but I can tell the right hon. Gentleman that a much less charitable view of the matter is taken by disappointed contractors outside, and that they openly declare that the explanation of the whole thing is that the Admiralty, having failed to raise the vessels themselves, do not wish any one else to succeed, and that what would please the Department best is that the *Vanguard* should lie where she is till the day of doom. I have called attention to these negotiations, not in any spirit of hostility to the Government, or to the right hon. Gentleman the First Lord of the Admiralty, but in the hope that he himself will look into the matter, and that if unfortunately we should have occasion to raise some other vessel, or if perchance a hope still survives of raising the *Vanguard*, negotiations will in future be so conducted as to give the enterprize and inventive talent of the country something like fair play.

MR. A. F. EGERTON said, that as the negotiations for raising the *Vanguard* had been conducted through his department of the Admiralty, any blame for that which the hon. Gentleman opposite (Dr. Cameron) had called "business inaptitude" must be laid to him. He would briefly state the history of the matter, and he would endeavour to show that the Admiralty had done the best in its power throughout the whole of these negotiations. The *Vanguard* was sunk on the 1st of September, 1875, and steps were immediately taken by means of a force of divers under one of our best officers to ascertain what was the state of the ship and what was to be done. The hon. Gentleman had found great fault with the Government divers, and he said there were other divers to be found who could have done, in all probability, a great deal more than the Government divers. He (Mr. Egerton) ventured altogether to traverse the statement. The French divers under M. Denayrouze who were consulted would not have anything to do with the ship, as they said she was so deep in the water, and the pressure was so great as to render it all but impossible for divers to work. As to the Admiralty divers, only two could be found to work, as there was great difficulty in working at the depth at which the ship was sunk. The pressure of air was so great that a man could remain below no longer than a quarter of an hour at a time. Only once had a man been on the deck of the ship since she was sunk, and that was by accident; he slipped from the bridge and was got up with difficulty, being nearly suffocated by the coiling of a rope round his neck. The Admiralty continued operations to see what they could do with the ship till early in December, when, in consequence of the necessity there would have been for building pontoons and withdrawing men from the dockyards for the works, it was thought wiser to give up all idea on the part of the Government of working on their own account, and to endeavour to induce parties outside to offer for raising the ship. On the 6th of December they invited offers, and in answer several hundred offers were made, some of them being of the wildest and most insane description. Three only were deemed worthy of consideration, and they were those of M. Othon, Mr. Sowerbutts, and Dr. Rutherford. M. Othon offered to raise the ship for £50,000, but the Admiralty were not satisfied as to his ability to obtain the money required, and the negotiation with him was closed on the 5th of June. The hon. Gentleman had given the House an amusing account of the financial operations of this gentleman; but with that the Admiralty had nothing to do. In the other two cases, Mr. Sowerbutts named £140,000, and Dr. Rutherford £150,000. Mr. Sowerbutts was asked to reduce the amount he had named, as was also Dr. Rutherford, who, in reply, asked the Admiralty to advance £5,000 and find the ships that would be required in connection with the work. That was a totally distinct offer, introducing conditions which the Admiralty could not entertain, as they had resolved not to advance a single halfpenny until the ship was delivered over to them, and, therefore, they declined the last offer on the 30th June, 1876. On the 1st of July Dr. Rutherford offered to raise the ship for £130,000, but that was thought too much, and with the decline of that offer, the negotiation was considered closed. It was then determined to advertise the ship for sale as she lay for a lump sum, and 11 tenders were received. While the advertisement was being drawn up, Dr. Rutherford reduced his offer to £100,000, but that was considered too much; he was informed the vessel would be offered for sale, and nothing further had been heard from him. He therefore failed to see what that gentleman had to complain of. Ultimately, negotiations were opened up with Captain Coppin, who thought he had discovered a plan by which men could continue to work at the depth at which the *Vanguard* was lying, and if a satisfactory arrangement were not entered in a short time, he should feel disappointed. He had given to the House as full an account as he could of the whole course of the negotiations, and considering all the difficulties and the length of time that had been required to examine the various plans sent in and the nearly absolute necessity there was of being very careful of any contracts they entered into, he really did not think that any opportunity had been lost, and he hoped the explanation he had given would be considered satisfactory.

NAVY — WARRANT OFFICERS — THE ORDER IN COUNCIL, 1875.

OBSERVATIONS. QUESTION.

Mr. GORST, in rising to call attention to the Order in Council of August 1875, relating to the pay and pensions of warrant officers, and to ask the First Lord of the Admiralty, Whether it can be so revised as to give the full rate of pay to all warrant officers employed in training, receiving, and Coast Guard reserve ships, and also in sea-going ships, such as the "Thunderer" and "Dreadnought," while fitting for the pennant, so as to place the warrant officers upon the same footing as all other officers employed in the above mentioned ships? said, there was a distinction between sea-going ships and what were called "other ships," and a distinction in the rate of pay of 1*s.* a-day was made between warrant officers and others serving in the two classes of ships. What made the grievance the more serious was, that it was confined to warrant officers only, every other person in the Navy, from the Admiral down to the sea-boy, receiving the same amount of pay, whether upon a sea-going ship, or what was called an "other ship." The origin of the practice seemed to be that in times gone by warrant officers who were not fit to go to sea, were placed in charge of hulks, and shut up on harbour duty. Those men were at home and in the neighbourhood of their families, and it was reasonable, under the circumstances, they should be placed on a lower scale of pay; but at the present time those "other ships," as they were called, comprised some of the most important ships of the British Navy, including those of the First Reserve of the Coast Guard Squadron, training ships, and ships fitting for the pennant. The duties performed by the warrant officers were most important, and whether the ships were in port or at sea, he was quite sure when the matter was brought under the notice of the right hon. Gentleman the First Lord of the Admiralty, steps would be taken to redress the grievance, and put an end to a state of things sanctioned by the Order in Council of August, 1875, and which was an injustice to the warrant officers. The hon. and learned Gentleman concluded by asking the Question.

MR. CHILDERS said, before the right hon. Gentleman the First Lord of the Admiralty replied, perhaps the House would allow him to say a few words in answer to the suggestions of the hon. and gallant Member for Devonport (Captain Price), and the hon. and learned Member who had just spoken (Mr. Gorst). The proposal of the hon. and gallant Member for Devonport was not a new one, and so far as the Admiralty and the House were concerned, the question of whether widows' pensions should be granted to the widows of men in the Navy had been discussed and considered for a long time past. In regard to the warrant officers, he thought the Admiralty had changed its mind three times within the last generation, and Parliament had meekly approved each *volte face*. It was quite true, as the hon. and gallant Gentleman had stated, that the case of the men in the Navy was a peculiar and exceptional one. In no other Service were widows' pensions granted upon a system to officers. In the Army they were only granted in exceptional cases, and the same with the Civil Service; but in the Navy there was a complete system of pensions applicable to commissioned and warrant officers. Therefore it was quite a fair and legitimate question to ask in that House, whether, as the granting of pensions was the rule in the upper ranks, there was any distinct reason why the advantage which was conceded with respect to the widows of the officers should not be allowed also with regard to the widows of the men. He ventured to think, however, that the hon. and gallant Gentleman's proposal to make deductions from the pay of the men in order to form a fund was open to grave objections. A similar scheme had some years ago been adopted in the Civil Service, and had altogether failed. Every deduction from pay to form a fund out of which pensions were to be granted was sure to be unsatisfactory, for no one would believe that the percentage deduction fairly represented his prospects of pension; and if, on the other hand, it proved inadequate, it would be impossible to increase it. He, therefore, warned the House not to constitute an accumulating fund, which was certain to be a failure. Whether any contribution should be made from public funds, was for the Treasury and Admiralty to decide; but he would suggest that if the Government thought fit to deal with the question, there was a perfectly simple way of doing it, which would be entirely voluntary on the part of the men themselves, by which nobody would be aggrieved, and by which, whether assisted or not from public funds, they would get an exact equivalent of the contributions they made. The plan would be this—that at or after the marriage of any seaman, either while in the service or after his pension was assigned to him, he should be able to apply to the Admiralty and request that a pension of £10 or £20 should be paid to his widow, provided she survived him, and that at the time of his death he was either in the service or a pensioner. An actuary would then calculate what sum should be deducted every month from his pay or pension, which would depend on his and his wife's age; and some part of this might be charged on public funds, in consideration of the cases where the men would leave the service before reaching pension, in which case his widow would get nothing. He now wished to say a few words on the subject of the Question of the hon. and learned Member for Chatham which to him was a perfectly simple one. In former days the warrant officers were on two classes of pay—harbour-service and sea-service pay. When he first went to the Admiralty he found there were no less than six different scales of pay. The harbour-pay men received from 4*s*. to 6*s*. per day, and the sea-service men from 5*s*. to 7*s*. per day, and there were three classes of each service. He very much improved the position of those officers, and made two classes instead of six—putting harbour and sea-service on the same footing. That gave a great boon, and that reform was, he believed, approved by the whole Service. He would be the last to quarrel with the right hon. Gentleman, if he had thought it necessary to raise the scale still further; but he had gone back to the old system, and still further aggravated it by establishing seven rates of pay, again distinguishing sea-service from harbour-service. When the hon. and learned Member for Chatham placed his Notice on the Paper he (Mr. Childers) tried to find the Order in Council referring to this change in *The Gazette*, but he was unable to find it. Therefore he was not in a position really to understand what reason was given in the Order. He regretted that the right hon. Gentleman had gone back to the old system, to which there was so much objection, and he was confident that it would not satisfy the service. At all events, he believed it was a change for the worse, and he would join the hon. and learned Member for Chatham in pressing on the Admiralty to revert to the former system.

NAVY—NAVAL CRIMINAL RETURNS.

RESOLUTION.

MR. P. A. TAYLOR, in rising to move—

> "That, in the opinion of this House, it is desirable that more detailed information should be furnished to Parliament in regard to crime and punishment in the Navy, such as was afforded by the Returns for the years 1863, 1864, and 1865,"

said, that it was about 12 years ago since there were prepared and presented to the House for three successive years what he might call absolutely model Returns of crime and punishment in the Navy. That, however, had been stopped; although in introducing these Returns Lord Clarence Paget stated that he intended to lay on the Table an annual Report of crimes and punishment in the Navy. This was no question of politics. There was in the country very great pride felt in the Navy, and he (Mr. Taylor) contended that it was most desirable that the fullest Returns should be presented, so that the country might ascertain the real condition of that arm of the Service. During the last 20 years a system of training our sailors had been organized; they were manufactured in a most artistic and deliberate way, and were made valuable man-machines. The deserters from the Navy numbered about 1,000 a-year, and the loss to the country was about one-third of a million sterling, and therefore it was essential, even on economic grounds, that they should know what was going on in the Navy, and how far the Service was benefited by the distribution of good-conduct money. The sum given for that purpose amounted to £60,000 or £70,000, and the House ought to know what benefits the country also derived from that large premium. The House ought further to know whether the Navy was effective, and whether those who constituted it were well treated and contented. The Admiralty Returns to which he had referred gave a record of every crime and every punishment in every ship and on every station, showing the average amount of crime, and naming the ships which were above or below the average, and they gave that information in an admirable manner; but they were suddenly stopped in 1867 by Sir John Pakington (now Lord Hampton) the only reason given being that the Returns were offensive to some of the commanding officers. Now he (Mr. Taylor) contended that that was one of the strongest reasons why the Returns should be given. The officers who objected to the Returns were not likely to be those for whom the country would have most consideration, and the excellent officers whose ships showed a good Return would be encouraged by such information being given to the House and the country. In France a most elaborate Report on the subject had been recently presented to the President by the Minister of Marine, embracing the most minute details; but in France they were alive to the importance of making such information known. The last Returns which had been presented to the House fell very far short of the Returns which had been previously given, for they classed all the crimes and punishments under two heads—namely, on the ships at home, and on the ships abroad. Now there might just as well be no discrimination at all, because it was impossible to ascertain from these Returns on which ship or at which station the crime was committed, or in what ships bad government or good government was going on. There were 65,264 summary punishments inflicted according to the Returns; but from the meagre information now supplied by our Government there was no means of ascertaining the nature of the offences for which, under the Naval Discipline Act, a system of Draconian severity, punishments—such, for instance, as that of flogging—were inflicted. The power of officers was enormous, and all that was asked was, that they might see how it was exercised. The officers had more to do with the discipline of the ship than the men themselves. But the ships varied at the same station in the amount of crime. For instance, at one station, in 1862, three ships had no convictions at all for minor offences, while one had 2899 per 1,000. At the same station, in 1863, there were none in two ships, while the highest was 4339 per 1,000. For insubordination, in 1862, at one station three ships had no convictions, while one had 200 per 1,000, and another 417 per 1,000. In 1863, on a foreign station, while 14 ships had no flogging, the highest had 200 per 1,000. In conclusion, he would say that ours was the only service in which the punishment of flogging was retained, and for that reason he trusted that the Returns would be granted, because he thought the House ought to have the fullest opportunity of judging of the character both of the officers and the men. He begged to move the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that more detailed information should be furnished to Parliament in regard to crime and punishment in the Navy, such as was afforded by the Returns for the years 1863, 1864, and 1865."—(*Mr. P. A. Taylor,*)

—instead thereof.

Mr. HUNT said, that as the hon. Member for Leicester (Mr. P. A. Taylor) had raised a distinct question upon the Amendment, it would be convenient to reply to him at once, and leave the other subjects to be dealt with after the decision of the House had been taken on this point. The hon. Member had expressed a desire that the Returns presented to the House with regard to Crime and Punishment in the Navy should be similar to those furnished for the years 1863 and 1864. The Return relating to the latter year was presented to the House in 1866, and he was inclined to think that no similar Return had since been presented. The Returns had not been renewed by the Admiralty under the Administration of his noble Friend Lord Hampton (then Sir John Pakington), nor under the administration of his right hon. Friend the Member for Pontefract (Mr. Childers), and of his right hon. Friend the Member for the City of London (Mr. Goschen). When the hon. Gentleman the Member for Leicester brought forward the subject two years ago, it appeared to him (Mr. Hunt), on thinking the matter over, that it was not desirable that such detailed Returns should be presented; but he thought it reasonable that the House should have some information respecting crime and punishment in the Navy; and, accordingly, he directed that a Return should be prepared and laid on the Table last year, believing that it would satisfy the House upon the subject. He should have thought that the Return would have given a great amount of satisfaction to the hon. Member, because the hon. Member would discover from it that corporal punishment, though not abolished by law, was nearly extinct in the Navy, and that courts martial rarely had recourse to that punishment, which, in his own opinion, should be resorted to as little as possible, and only where the cases were of a very aggravated character. The hon. Gentleman wished, however, to have the very detailed account which appeared in the Returns for 1863 and 1864, giving a statement as to the amount of crime and punishment not only on every station, but on every ship. The experience of the Admiralty was that those costly Returns did not produce a good effect. Instead of being found advantageous they were found to have the opposite effect, for they put such a pressure on commanders of ships that some of them shrank from doing their duty. In one instance it appeared that there were many cases of theft on a particular ship and none at all on another. Did the hon. Gentleman think this depended on the disposition of the commanding officer? Was it not clear that there were more thieves on one ship than on the other? No commanding officer would ever overlook a case of theft. Again, it might happen that in some ships there was a greater number of young men than in other ships, and, as hon. Members were aware, boys were much more troublesome at ages between boyhood and manhood than they were at other periods of their lives. When one commanding officer had on board his vessel a large proportion of these young ordinary seamen, he found a great deal of trouble in dealing with them; and was, in some cases, obliged to resort to flogging. The consequence was, that because he had more of these boys than other commanding officers had, he seemed to be gibbetted, and shown up by this unfair comparison. Ought he to have his capability as an officer called in question by the House of Commons? This consideration had weighed very much with previous Boards of Admiralty. The Administration which preceded him did not think proper to renew the Returns, and no Return had lately been presented till last year, when he laid on the Table a Return which he proposed to continue, and which, in his opinion, gave the House sufficient information on the subject. For the reasons he had given, he thought it was not desirable to go into all the details which had been given in the Returns for the years 1863 and 1864, and which had given the hon. Gentleman the Member for Leicester so much satisfaction.

Mr. GOSCHEN said, he had never shrunk from supporting Her Majesty's Government in reference to questions of discipline in the Navy when he had shared their views, even though his opinions differed from those of many hon. Members with whom he generally acted. No inconsistency, therefore, could be imputed to him by the right hon. Gentleman the First Lord of the Admiralty, on the present occasion, for supporting the Motion of his hon. Friend the Member for Leicester (Mr. P. A. Taylor), in opposition to the views of the Government. It was true, as the right hon. Gentleman the First Lord of the Admiralty had said, that Returns such as were asked for had not been given by previous Administrations; but it was equally true that they had not been asked for; and there was a great difference between volunteering Returns and refusing them after they had been pressed for by the House. The argument of the First Lord of the Admiralty he (Mr. Goschen) appreciated only to a limited extent. It was possible that some meritorious officers might be misunderstood, when they had the misfortune to have ships on board which there was a considerable amount of punishment inflicted, and when the discipline of those ships was shown in the Returns to be bad; but, like other people, naval officers must put up with being misunderstood, and with having motives attributed to them which did not actuate their conduct. The right hon. Gentleman had put forward no such case as having happened during the years that the Returns in question had been published; but if ever any unfair attacks were made against officers, he was sure, as far as the present question was concerned, that the right hon. Gentleman opposite, or his Successors, would be alike able and willing to defend their subordinates from wilful misrepresentation or misunderstanding based upon insufficient knowledge of facts. The House, in his opinion, had a fair right to ask for the Returns which had been moved for by his hon. Friend the Member for Leicester.

Mr. JACOB BRIGHT sympathized with his hon. Friend the Member for Leicester in what he desired to obtain, and thought that the arguments of the right hon. Gentleman the First Lord of the Admiralty were singularly weak, for it struck him as being remarkable that commanders of ships could not perform their duty properly, if it was possible for what occurred in their ships to become known to the public. He hoped his hon. Friend would press the Motion to a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 121; Noes 65: Majority 56.—(Div. List, No. 32.)

STATE OF THE NAVY—BOILERS.

OBSERVATIONS.

Sir JOHN HAY, in rising to call attention to the Iron-clad Navy, and the condition of its boilers, said, that a Departmental Committee had been appointed three years since to inquire into the entire subject, and that so far as he could learn no Report had yet been received from the Committee by his right hon. Friend at the head of the Admiralty. He trusted that when the Committee had reported, the House would be put in possession of the facts which they had ascertained and the conclusion at which they had arrived. Of this there could be no doubt—that the boilers of several of the Iron-clad Fleet, the *Lord Clyde*, the *Caledonia*, *Ocean*, *Prince Consort*, *Royal Oak*, *Zealous*, *Favourite*, *Enterprize*, *Royal Sovereign*—[Mr. HUNT: You may add the *Royal Alfred*]—were worn out and not worth repair, making with the *Vanguard* a decrease of 11 ships removed from the list. Ten of these were the dummy ships alluded to and condemned by the right hon. Gentleman the First Lord of the Admiralty when he took office. Of the 23 broadside iron-clads they possessed, 13—*Agincourt*, *Minotaur*, *Achilles*, *Black Prince*, *Alexandra*, *Warrior*, *Hector*, *Valiant*, *Defence*, *Resistance*, *Audacious*, *Shannon*, and *Lord Warden*, according to the information they had before them—were all that were perfectly efficient, and 12—*Northumberland*, *Bellerophon*, *Hercules*, *Sultan*, *Penelope*, *Invincible*, *Iron Duke*, *Swiftsure*, *Triumph*, *Repulse*, *Pallas*, and *Research*—still required considerable repair. Then, again, of the sea-going iron-clads, the *Monarch*—a turret sea going ship—required new boilers; the *Dreadnought* was not yet completed; the *Devastation* had had her boilers in so long that they required repair. [Mr. HUNT said, his right hon. Friend was mistaken in regard to the *Devastation*.] Well, he was glad to hear it, but he had been so informed. This, he thought, would be found to be the case—that we had 13 broadside iron-clad ships in perfect order, three turret ships—*Dreadnought* (not quite ready) *Thunderer* and *Devastation*—in the same satisfactory condition, 12 broadside iron-clads that required repair, and four turret ships—*Monarch*, *Rupert*, *Hotspur*, and *Glatton*—that needed attention to their boilers. There were, of course, the 13 ships for harbour defence—*Viper*, *Vixen*, and *Scorpion* at Bermuda; *Abyssinia* and *Magdala* at Bombay; *Cerberus* at Melbourne; but these were of no use for any purpose but the defence of the harbours where they were stationed; and for English defence, the *Wivern*, *Waterwitch*, *Prince Albert*, not very efficient, and the *Cyclops*, *Hecate*, *Gorgon*, and *Hydræ;* but the fact ought not to be lost sight of that of the 13 iron-clads, six were abroad and only seven at home for coast defence. That was the whole iron-clad Navy of England. The hon. Member for Reading (Mr. Shaw Lefevre) had, in an article published in his own name, adopted an unsound basis of comparison. It was not enough that our *Inflexible*, if she caught two inferior vessels of the enemy, should be able to make "mincemeat" of them. Two of these second-class vessels of the enemy might appear, one before Liverpool and the other before Aberdeen, and command contributions, and as the *Inflexible* could not be at both places the fact that she was superior to them both together would not save one of the towns attacked. Our first-class ships could not be in two places at once. He would take another illustration. The Turkish Navy contained 15 iron-clads, which might be considered good ships. It could be imagined that the English Fleet, lying in Besika Bay, might have received instructions under certain contingencies to take possession of the Turkish Navy. That Navy was commanded by an Englishman, who would, no doubt, in such an event have given up the command to a Turk. But 15 Turkish sail could not be expected to give themselves up to nine English ships without fighting, and thus the loss of life and property at Navarino and at Copenhagen would have been again incurred for want of an overwhelming English Fleet. He did not deny that we were the strongest Naval Power in the world; but we must always have an iron-clad ship in China, in the Pacific, and in North America. It was not possible for the First Lord to have added more than four vessels to the nine in Besika Bay, and it might have been important to have more than 13 vessels in the Mediterranean to arrest and lay hands upon the Turks. We should have in time of war our coaling stations abroad to protect. Malta, Gibraltar, Aden, and Halifax were armed, but the Cape of Good Hope and other stations were undefended, and our iron-clads would only be strong and powerful if upon distant stations they could obtain coals which the vessels of other Powers could not procure. We had not above 20 iron-clad ships that were thoroughly and entirely efficient, and of these not more than 17 that could be regarded as available for service in European waters, because three or four must be away on distant service. Of these 20, some required considerable repairs. Upon the whole, it would have been, he thought, more prudent for the First Lord of the Admiralty to have asked for a little more money, so that he might have built a few more ships, and thus have placed the country in a stronger position among the Naval Powers.

Mr. BENTINCK said, he had been accused of telling tales out of school, and showing the deficiencies of our Navy to foreigners. Upon the subject of the Navy, however, you could tell no tales out of school, for every foreign Government which had any interest in knowing the naval strength of Great Britain knew to a ton, to a gun, and to a man the strength of every ship in the British Navy. It was sad to see that the people who seemed to know or care nothing about the subject were the British nation and the House of Commons, and one proof of this indifference was that during great part of the speech of the right hon. and gallant Gentleman the Member for Stamford (Sir John Hay) only 12 hon. Members were present. Some information might be kept secret with advantage, but the practice now was to allow foreigners free access to our dockyards, and put them in the way of learning everything, and he could not think that this was a reasonable or a rational mode of proceeding. It had been his intention to call attention to "the great variety of the form and properties of the ships of the same class in Her Majesty's Navy." The subject, however, was so complex and scientific that he thought he should be best consulting the convenience of the House by abstaining from entering upon it, leaving it to others, and especially the hon. Member for Pembroke (Mr. E. J. Reed), to say whether it was not possible to make the British Navy a little more homogeneous in point of construction. His own belief, whether right or wrong, was that no ship could fairly be called a man-of-war available for all purposes which was not able to take care of herself under canvas. We had, however, with a few exceptions, a number of lumbering, unwieldy batteries, covered thickly with iron, unmanageable under canvas, and unfit, in his opinion, to leave the Channel. Vessels propelled by steam only were hardly fit to be sent to any part of the world, being dependent on fresh supplies of coal every few days. But an efficient man-of-war should be fit to be handled independently of her machinery. Of course, there were great difficulties in the way. After a ship had used a certain number of tons of coals she was so out of trim that she could not be handled efficiently under canvas, and though you might by means of water ballast steady the ship as a platform for guns, you had not under certain circumstances which were likely to occur in time of war the certainty of obtaining in distant seas the necessary propelling power. Then most of our ships were too long to handle under canvas; they would not come round. The answer was, that it was necessary in order to obtain the required displacement; but that was met by the reply that the struggle between guns and armour had been nearly brought to a completion in favour of the guns, and that being so, would it not be possible to protect by armour-plating the machinery and magazines of ships of war, leaving the two ends unencumbered by armour, and thus getting rid of the weights at the two ends, which were the great obstacle to the sailing qualities of a vessel? The *Northumberland*, for example, was perfectly unmanageable under canvas, and could hardly be steered under steam. You ought to be able to put a ship under canvas and at the same time possess all the advantages of a steam iron-clad. He would like to ask whether science had so completely failed that we were unable to devise a ship which would combine the protection of iron to certain portions of her hull with the sailing qualities of the old line-of-battle ships? We had heard very lately a good deal about the casualties which had occurred to Her Majesty's ships at anchor either in bringing their anchors home or parting their chains. If he was not mistaken, these casualties were much more frequent than in the olden time, when line-of-battle ships were said to be able to ride out almost any weather, but that was not the case now. Some time ago experiments were made with great care by the Admiralty of the day as to the holding powers of anchors, and the result was that the best was declared to be Trotman's anchor, and the worst that which was known as "the Admiralty anchor." It was the Admiralty anchor which he believed was supplied to Her Majesty's Navy, except under exceptional circumstances, or when some other kind was applied for by the officer in command of the ship. Latterly he believed that a good many of Her Majesty's ships had been supplied with Martin's anchor, on the singular ground that it was stowed away much more snugly and easily, and that it did not interfere with the line of fire of a turret gun. But the use of an anchor was not when it was stowed, but when it was let go. He did not ask that the Trotman anchor should be forced on the officers in command of Her Majesty's ships, but the Admiralty should not refuse to adopt it on the ground of cost. The *Great Eastern* was rather more than double the tonnage of the largest vessel in the Navy, with about double the displacement, and pretty nearly double the weight to hold. And yet that vessel had been knocking about the world with a seven-ton Trotman anchor which had never started. If the Admiralty was not satisfied with the former experiments on this matter let them direct new experiments to be made. Then as to cables, it was notorious that the chain cables supplied to the Navy frequently parted, and the reason was that the chain cable of the present day was not in proportion to the size of the ship. The *Great Eastern* worked a 3-inch chain cable, and, as far as he was informed, had never parted a chain on more than one occasion, and, in his opinion, a heavier description of chain would prevent the many casualties arising from this cause. On the whole, looking to the present aspect of European affairs, he maintained that neither in regard to numbers nor efficiency was the Navy in accordance with the requirements of the country. In conclusion, he must say that whether it was from apathy or parsimony he could not tell, but he had witnessed the fact with the deepest regret — he could not trace in the Estimates which his right hon. Friend the First Lord of the Admiralty had placed on the Table the spirit which animated his views when he first addressed himself to the condition of the British Navy on his acceptance of office.

MR. SHAW LEFEVRE believed that the condition of the boilers of our iron-clads was not quite so unsatisfactory as it had been represented to be by the right hon. and gallant Gentleman the Member for Stamford (Sir John Hay). His (Mr. Shaw Lefevre's) object in publishing the article to which allusion had been made was to meet remarks such as had been made on that and on former occasions, tending to depreciate the condition of our Navy as compared with the Navies of other Powers. When fair and dispassionate comparisons were made, he believed it would be shown conclusively that the iron-clad Fleet of England was at the present moment stronger relatively to the Fleets of other countries than it had ever yet been; but the same rigid tests must be applied to other Navies that were applied to our own. As to the objection that he had confined himself to first-class vessels, he believed that those with less than six inches of armour plate which could be penetrated by ordinary guns could hardly be considered as first line-of-battle ships, though he by no means under-rated their value for certain purposes. But if vessels of the second class were to be included in comparisons and equally rigid tests were applied to all, he believed that comparisons would still be in our favour. Take the French Fleet, for example. With rare exceptions, the vessels which composed that Fleet were built of wood, and many of them had been constructed before 1865, and had less than six inches of armour on their sides. He did not know what the state of the boilers of those vessels might be, but he felt confident that a number of them must be in a worse condition than was the case in regard to the English Navy. Altogether, he had no doubt that the French Fleet was far from being in so satisfactory a state as our own was at present. Again, as to the Turkish Fleet. He believed he was right in saying that there was not a single vessel in that Fleet which had ever had its boilers replaced at all, although the vessels had been in continuous employment. Several, therefore, he considered, if not most of them, must be in a most unsatisfactory condition; so bad, indeed, that the right hon. and gallant Gentleman would probably strike them off the list if they were our property, or consider them as dummies. In the course of the discussion which had taken place it had been said that we ought to have in Besika Bay a fleet not only sufficiently strong to destroy that of Turkey, but a fleet so strong that it would positively overawe the Turks by its very presence; but that appeared to him to be an exaggerated view of the necessity of the position. What it was necessary England should possess was a fleet able to meet any case of urgency which might arise within reasonable expectation; and it seemed to him that, in its present condition, our Navy was adequate to that requirement. The great advantage, it should be recollected, which we had over other Powers was that our vessels had so many stations at which they could coal, while other nations, he believed, had no coaling stations beyond their own shores. He thought it was a pity the right hon. Gentleman the First Lord of the Admiralty had not pressed on more quickly the Report of the Boilers Committee. The Committee had now sat for three years, and it would have been better if their Report had been issued as quickly as possible, because it was a matter of urgency and importance that the cause of the rapid deterioration of boilers should be discovered, in order that, if possible, a remedy might be applied.

Mr. E. J. REED thought that if hon. Members opposite had erred on the side of exaggeration, the last speaker (Mr. Shaw Lefevre) had slightly erred on the other side of the question. He thought we should make a great mistake if we plumed ourselves on the excessive strength of our Navy at the present time. He would give the House an illustration of the weakness of the Navy in the matter of iron-clad ships. Some years ago the Admiralty thought it necessary, with the view of maintaining our influence in the Pacific, to place an iron-clad on that station; and when its time was expired another iron-clad was commissioned. The Admiralty, however, had now considered it better policy to despatch an unarmoured vessel as the Admiral's flag-ship. Only recently the *Shah* had been sent out, whereas she ought to have been kept at home, where her peculiar powers of speed would find infinitely better employment. That showed a change of naval policy, and was one reason which led him to think that we ought not to place all our dependence on iron vessels. Swift ships like the *Shah* were essential in their way, and the due proportion of their number to slower and more formidable vessels ought not to be lost sight of; yet he felt that the *Shah* would have been of greater service in Europe. He thought that if we applied the same tests to foreign Navies as the right hon. and gallant Member for Stamford (Sir John Hay) had applied to our Navy we should have to put a great number of ships off the Active List. Reference had been made to the Turkish Fleet; but in opposition to the criticism that had been urged, it was to be borne in mind that as their boilers were very little used, a contrast ought not to be drawn between them and the boilers of our own vessels. If the boilers on board the Turkish ships deteriorated, it was more from negligence than use, whereas ours were really worn out by hard service. He was not fond of censuring men in authority; but if the First Lord of the Admiralty deserved censure for anything, it was for the comparatively heedless manner in which he had allowed the subject of the boilers of iron-clads to be dealt with. In first introducing his Estimates that right hon. Gentleman had assured them that that question of boilers was one of a most serious nature; and a Committee was appointed to examine into it. They had had presented to them a preliminary Report from that Committee, which was of about as absurd a kind as could have been produced, considering the grounds upon which the Committee had been appointed; and from that time to this they had had nothing more. As he (Mr. Reed) had understood the right hon. Gentleman, the object of having that Committee was to ascertain how our boilers lasted a much shorter time than those of other countries, and then to find out some remedy for that serious evil. But they were now still without any assurance whatever that any efficient step had been taken for that purpose. They had had a Committee sitting for three years, and however valuable its inquiries might be, they had not fulfilled the just expectations of the House. He could not believe that this country was so deficient in practical men, who knew all about boilers, that, if the First Lord had applied himself to the production of proper results, we might not have been in a very different position from what we were in now. He entirely agreed with the hon.

Member for West Norfolk (Mr. Bentinck) as to the futility of attempting to keep things connected with our naval proceedings dark from foreign Governments. Persons in this country who took great interest in these points were kept much further off from information regarding them than foreigners. In one instance he remembered himself being called on by a Committee to give the results of an investigation of considerable importance which he had kept strictly private, and he found the report of his evidence in the hands of foreign Governments months before he had had any opportunity of seeing it, and before it was placed in the hands of hon. Members of the House of Commons. The attempt to keep information secret caused it to assume a fictitious value, and he thought the time had arrived when information connected with our Navy, which could not be kept from the knowledge of foreign Governments, should be communicated freely to the House. He knew it was denied by the Italian Government, but the dates and facts proved that, some time before they built the *Dandolo* and another ship, they had in their possession the design for English ships of the same kind. He did not say that different minds might not possibly have hit on the same design; he merely stated a fact, and he maintained that when British naval arrangements of importance were thus known to foreign Governments it was idle being squeamish about such matters in that House. The hon. Member for West Norfolk spoke of our modern ships as inferior to the old wooden walls, because they were not such good sailors, and to that extent less seaworthy. He (Mr. Reed), however, did not agree with the hon. Member that no ship could be ranked as a thoroughly efficient man-of-war which could not take care of herself under canvas. Steam had, for various reasons, become the great propulsive power, and sails had simply become an auxiliary, and the more that fact was recognized the more it became conclusive that the means of keeping up an increased and efficient coal supply was absolutely necessary. That being so, it was wrong to argue that our Fleet whilst it was in Besika Bay was weak, because our strongest arm of offence was represented by a mastless ship—the *Devastation*. With respect to the question of speed, he thought we had attempted to do too much. If we had only been content with getting 11 or 12 knots under steam we might have had better sailing vessels. The real problem was to neutralize the want of sails by increasing the capacity of coal carrying, and it was to the honour of the right hon. Member for Pontefract (Mr. Childers) that when he presided at the Admiralty he came to the conclusion that it was idle to put sails on certain vessels, but that the supply of coal must be augmented. He (Mr. Reed) was, therefore, of opinion that the Government had been right in accepting not only the inferior importance of sail power in certain ships, but the total absence of it in others, provided always there was a proper supply of coal. Still, in certain vessels intended for remote stations, where efficiency under canvas was of great moment, considerable improvements might be made in that respect, and he believed that those improvements had been made, as, for instance, in vessels of the *Swiftsure* and the *Triumph* class, which had considerable power of proceeding under canvas. A great deal had often been said about the speed of the Confederate ship the *Alabama*, but she was nothing more nor less than one of the ordinary sloops of the British Navy lengthened 10 or 12 feet to enable her to carry extra coal, and he might say that there were 100 *Alabamas* in the British Navy. On a recent occasion a comparison was made by an hon. Member between ships of the British Navy and the great mercantile fleets of this country. It was his (Mr. Reed's) fate lately to perform a journey in a vessel of one of the great steamship companies of this country. When he went on board that vessel the tiller was broken. When the vessel got to Alexandria the rudder was broken in more places than one. The vessel was brought from Alexandria to this country to get her tiller and her rudder-head repaired. He never saw a statement in the newspapers about this, and not a single Question was put in Parliament about it. In a week or two afterwards he travelled in another ship of one of the great steamship companies. In four days that ship averaged something like four knots. He admitted that the weather was very bad; but he was quite sure if the same thing had happened to any of Her Majesty's ships in like circumstances there would have been several statements in the newspapers, and not a few Questions in Parliament to bring out the facts. Without at all concurring in the views of those who seemed disposed to exaggerate the shortcomings of our Navy, he thought good might be done to the Public Service by considering whether the forms and proportions of certain classes of iron-clads and other vessels might not be improved with reference to their sailing qualities. In the construction of modern vessels so many views had to be met, and so many requirements to be provided for, that they should view with great care and consideration any alleged defects. Still he viewed it as a fortunate circumstance that two hon. Gentlemen on the opposite side of the House did not shrink from rising to call the attention of Parliament to questions which they considered of importance in connection with the present position of the Navy. The hon. Member for West Norfolk had drawn attention to what he considered the excessive shortcomings of anchors and cables, and he appeared to speak as if it were something peculiar that iron-clads were obliged to get up steam to enable them to keep off a lee shore in rough weather. He (Mr. Reed) did not know why this should be brought as as specific and peculiar complaint against iron-clads—that they should have to do that which was done in the days of wooden vessels; and, beyond that, as our modern ships were more costly than our old wooden vessels were, it was the more important that they should do so, if it was thought desirable in order to avoid risks they would otherwise incur. A great deal had been said about Trotman's anchors. The whole merit of Trotman's anchors lay in a very slight modification. It was the slightest invention ever made, and not a very important one. The question of anchors was never neglected within the Admiralty walls, and the difficulties with which the Admiralty had to deal in regard to anchors were shown by the fact that very often from two ships with anchors of the same kind, they had Reports which were in flat contradiction to each other. The hon. Member for West Norfolk had asked whether the time had not arrived to leave armour off our ships. That was not the first time the suggestion was made, and he (Mr. Reed) took exception to it. It was made every time a gun proved its superiority to the armour against which it had been tried. What had been our position throughout the last 20 years by virtue of the adoption of armour? Never since we adopted armour had the guns of any foreign Navy been able to pierce the sides of any British vessel. By advancing from time to time and never falling behind, we had always been able to secure positive pre-eminence, which was precisely the thing we wanted to purchase by our naval expenditure. The right hon. and gallant Gentleman had once stated that to send seamen to sea in wooden vessels would be to send them to sea in slaughter-houses, but it would be far worse to send them to sea in vessels insufficiently armoured, which, filled as they were with gunpowder and steam boilers, would be at the mercy of every projectile that would penetrate their sides. Complaint was made that we were spending more and more upon our guns and armour-clads. It might be a very expensive and disgusting race that we were running, but at the same time it was a very necessary one, for it imposed upon the enemy the necessity of either making or purchasing these enormous guns and heavy armour, and if we were to give up the struggle we could no longer pretend to maintain our naval pre-eminence. It might be imagined that we had reached the highest point in the development of our guns and armour, and the hon. Member for West Norfolk had spoken as if he felt that armour-plating must sooner or later be abolished; but he (Mr. Reed) did not believe that, for a class of facts had recently come to our knowledge which had opened up a new vista in connection with this subject, and before long we might have powerful guns at sea on ships protected by three or four feet of armour, and even protected against the favourite projectiles of the hon. and gallant Member for Waterford. He objected to this question being regarded as foreclosed against us on the ground of expense. We had started with four inches of iron armour, and we had now such armour 24 inches thick, and yet our present ships were not more expensive, seeing that we built them in a smaller and better form. On the whole, therefore, he did not despair of our pursuing the development of our Navy to the satisfaction of the Profession as well as of the public.

MR. GOSCHEN said, he did not wish to interpose more than a few minutes between the House and the right hon. Gentleman's Statement; indeed, he rose in the hope of enabling the right hon. Gentleman to make his Statement on another occasion earlier than he would be able to make it to-night. His purpose was to make a few remarks on behalf of the House of Commons and of the British Navy. The hon. Member for West Norfolk (Mr. Bentinck) had complained while his right hon. and gallant Friend (Sir John Hay) and himself were bringing forward their important Motions to-night, that only about 12 hon. Members besides themselves were present, and therefore he assumed that the House of Commons did not take an interest in naval affairs. For his own part, he demurred entirely to that assumption, and he believed that if the right hon. Gentleman the First Lord of the Admiralty had been able to make his Statement earlier in the evening, and this formidable list of Motions—all of which, with the exception of one, emanated from hon. Members opposite—had not been placed upon the Notice Paper, and so intercepting it, the House of Commons would have evinced interest enough in the subject. Year after year, however, the same Motions were put down for discussion, and the same views were advocated by the same speeches, delivered in the same tones. As no man would care to go night after night to see the same piece performed at the theatre, so hon. Members of the House could not stand the same wearisome iteration of the same old play and the same old speeches in which the hon. Member for West Norfolk lamented "the decline and decay of the British Navy." The right hon. and gallant Gentleman the Member for Stamford again, reminded him of one of those calendars, in which by turning a handle the date of the year was altered, while the figures beneath remained the same. For the last five years the right hon. and gallant Member had been answering the speech of the right hon. Member for Pontefract (Mr. Childers), which was delivered in 1870; but somehow or another, he had failed to answer it when it was delivered. He trusted that the right hon. and gallant Gentleman had made his last reply to that speech, but he was afraid that we should have it again next year. The matter, however, had its serious as well as its amusing side. The serious side of the subject was, that the hon. Member for West Norfolk and the right hon. and gallant Member for Stamford were always complaining that the strength of the British Navy was inadequate for its requirements. He could very well understand hon. Members holding that opinion, but what he could not understand was that, holding such an opinion, they should content themselves year after year with merely drawing attention to the subject. How was it that they never ventured to test the feeling of the House upon the point by going to a division? The matter was undoubtedly a most important one. They had to deal with their own Friends and with the Conservative Party, and why should they fear to test the opinion of the House upon the question? Were they so weak in argument that they feared that they could not persuade their audience to agree with them, or was their case so weak that they could not trust their Friends to deal with it? [Sir JOHN HAY remarked that it was not their case, but the Navy that was weak.] Yes; and yet, with the Conservative Party in office, the right hon. and gallant Gentleman, fully believing that the Navy was adequate to the requirements of the nation, felt himself unable to test the opinion of the House upon the matter. In his opinion, Her Majesty's Government conscientiously believed that the Navy was inadequate for our requirements, or they would propose larger Estimates. The right hon. and gallant Gentleman brought a heavy charge against his Friends, because it would be a grave misdemeanour of the Government to keep the Navy below its due strength. He, however, believed that, prudent as the right hon. Gentleman the Chancellor of the Exchequer was, he would not, even if the finances of the country were not in a satisfactory state, refuse the sums which the First Lord of the Admiralty might deem necessary for maintaining the efficiency of the Navy. The question for the House, therefore, was this—were the right hon. and gallant Gentleman and his Friends and Supporters, the hon. Member for West Norfolk and the hon. and gallant Member for Gravesend (Captain Pim) right, or were the Government right, in their estimation of the strength of the Navy? It was time that those hon. Gentlemen who came down year after year should do one of two things—either to seriously urge these matters upon the House by testing the opinion of the House; and, if the House rejected them, then they should cease to put these strong and highly-coloured accusations against the British Navy on record, or to establish them in a different way. He had no desire for one moment to trench upon the speech of the right hon. Gentleman (Mr. Hunt), but when the hon. Gentlemen referred to had pronounced their annual dirge with regard to the British Navy, he would ask the Government if they thought themselves in a position to reduce the Estimates by £300,000. He had thought it right to vindicate the British Navy from the charges brought against it by the hon. Member for West Norfolk. Speeches of that kind only led to long discussions, which prevented the First Lord of the Admiralty from making his Statement. The hon. Member for West Norfolk had endeavoured to show that no ships ought to belong to the British Navy except those which were able to sail, and he instanced the case of the *Thetis*. But the fact was that the *Thetis* could sail, and was far from being entirely dependent upon her machinery alone. True it was that a steamer had gone out to her assistance, but it was equally true that colour was always laid on in the case of accidents happening to vessels of the Navy. Similar accidents happened to vessels belonging to great steam-ship companies, which were not brought before the public, and it was not necessary or desirable that so much should be made out of them. In the course of the discussion the Navy had been attacked by the right hon. and gallant Baronet the Member for Stamford and the hon. Member for West Norfolk, while there remained behind the Notice which stood on the Paper in the name of the hon. and gallant Gentleman the Member for Gravesend. In reference to these attacks, and the Notice to which he had adverted, he might allude to the recent demonstration which had been made by the Navy in Besika Bay—a demonstration made in sight of squadrons selected from other Navies, and one which showed that the British Navy was by no means the weak and contemptible Force it was represented to be by several hon. Members of that House. On the contrary, it was felt that our Navy was in a position of which the House and the country were not ashamed. If it had been in the weak condition ascribed to it, he was sure that the right hon. Gentleman the First Lord of the Admiralty would have asked the House to make grants of money sufficient to put the Navy upon a thoroughly efficient footing.

Mr. R. W. DUFF said, that engineers and warrant officers were very properly appointed to ships before they were put into commission, in order that they might become acquainted with the machinery; but the last man appointed was the captain. He was put on board a ship, say, with 30 engines, and before he had the least time to become acquainted with the ship he was sent to sea. Was it surprising, then, that disasters happened? He thought it important that captains should be sent on board their ships at least six weeks before the vessels were sent to sea. The difference between the half-pay and full pay for that small period of time would not make a very appreciable difference in the Estimates.

Mr. HUNT: Sir, I entirely agree with the right hon. Gentleman the Member for the City of London (Mr. Goschen), that it is not very convenient that the Financial Statement of a Minister in explanation of the Estimates should be deferred till the latter part of the evening. That it should be so tonight is the result of our Rules and Orders; but I do not despair that a time will come when those Rules will be altered, and some arrangement will be made for a Minister to introduce Estimates without any preliminary discussions, except where there are grievances to be complained of. I value the old constitutional doctrine that grievances should go before Supply; but I have been sitting here for five hours and have heard not a scintilla of anything like a grievance, except from the hon. and learned Member for Chatham (Mr. Gorst), who complains that certain warrant officers have not the same pay in harbour ships as they have in seagoing ships. That, no doubt, is an important subject, and one worthy of consideration, but it might have been postponed until after the Speaker had left the Chair. A great many of the other topics which have detained us, important and interesting as no doubt they are, might also, I think, have been discussed in Committee, after the Statement on the Estimates had been made. With regard to the grievance of the hon. and learned Gentleman (Mr. Gorst), the right hon. Gentleman opposite (Mr. Childers) says that we have made a mistake in making that difference, which he did away with in 1870, and reduced the system to greater simplicity, having only two classes while we have seven. The fact that he had classes in 1870 proves that the present is not the only Board of Admiralty which considered there ought to be a distinction. My hon. and learned Friend suggested that this distinction was accidental; but I can assure him that it was made with a purpose, and because we considered that the duties in sea-going ships were greater than those required in harbour ships. With regard to the simplicity which we abolished, it is obvious that schemes which seem simple are not always satisfactory, and when we came into office we found the greatest dissatisfaction with regard to the simple scheme of my right hon. Friend. That scheme divided the warrant officers into two classes only, and paid them according to those classes. We, on the other hand, pay according to length of service, with a difference between harbour and sea-going ships. Our rate is—up to five years, 5*s.* 6*d.* per day; five years to 10 years, 6*s.* 9*d.*; 10 to 15 years, 7*s.* 9*d.*; and 15 years and upwards, 8*s.* 3*d.* I believe the warrant officers generally were well contented with the change, as it benefited all of them, except in the case of officers of 15 years' standing of harbour ships, who were reduced from 7*s.* 6*d.* to 7*s.* 3*d.*, with the proviso, however, that no one should be reduced who had been paid the higher rate. Since that time, however, some inequalities have been pointed out which were not foreseen; and without making any promise at all, I can assure my hon. and learned Friend that I will see if any of those inequalities can be removed. The hon. and gallant Member for Devonport (Captain Price) called attention to the movement originated by the men of the Fleet rather more than two years ago, with regard to establishing a fund as provision for their widows. I then said the Admiralty regarded that movement with great favour. We sent a circular through the Fleet to see how far the men would join in it, and we had actuarial calculations made as to what contributions would be necessary. The scheme did not prosper for want of that support, although, as the hon. and gallant Gentleman stated, the men were willing to contribute larger subscriptions, but still they did not offer sufficient for the purpose. The calculations of Mr. Finlaison showed that in the case of a young man and his wife it would be necessary to secure to the latter £24 a-year, to pay in an aggregate sum of certainly more than twenty times that amount; and even then a monthly contribution of 10*s.* or 15*s.* would be enhanced when the period of middle life was approached by the seaman. The House will see, therefore, that it would be quite impossible to carry out the scheme suggested. It has been suggested by the hon. and gallant Member that a certain amount of assistance should be given by the Admiralty in carrying out the pension system. I think it would be an advantage to the Service if such an inducement were held out. But when we come to the question of the Admiralty contribution, it should be remembered that it makes a fresh charge on the Exchequer, and in that view I do not know that all the sources of income will necessarily be maintained. The only one of any amount is the saving on provisions. A Committee sat on the subject in the year 1870, and were not able to come to any consent as to what they would recommend. My hon. and gallant Friend has told the House that there is dissatisfaction as regards the present system, but that Committee agreed upon this point—that the present system, by which the men had some choice as to their provisions, was popular in the Service. It is possible, however, that that may not be a permanent fund. However, whether you take it from that or any other fund, it comes to this—that there must be a contribution from the Exchequer in some shape or other. But when I meet my right hon. and hon. Friends who occupy that very important building called the Treasury, I am told, if I speak on the subject, that I am raising a question not only of the Navy, but of the Army, not only of the Army, but of the Civil Service—and really the question is one of such huge dimensions that it is very difficult to grapple with it. It would be impossible for me, representing one Department, to pledge myself to anything like the proposal which has been made; and most desirous as I am in the position which I hold to encourage thrifty habits on the part of our sailors, I cannot say that I have any pledge or promise to make in the direction which has been so well pointed out. I may say, however, that whenever the House of Commons is ready to receive such a proposition favourably — whenever we are in easier circumstances than we are now—it is one well worthy of their consideration. My right hon. and gallant Friend (Sir John Hay) has spoken of the condition of the iron-clad Navy and the state of the boilers. Well, that is a very important question, and I am very properly asked why I have not discharged my duty in seeing that the Report of the Boiler Committee has been laid on the Table? I can only say that no exertions of mine have been spared to extract that Report short of personal violence. This I know, that the Committee has taken extraordinary means to make their inquiry perfect and exhaustive, and that certain experiments, chemical and otherwise, are being made, the result of which will not be known for some little time. I have requested that a Report—not the final Report, but one which will be of some service—of the Committee shall be furnished to me, and although promised it has been delayed, I regret to say, owing to a domestic affliction to one of its Members, so that instead of receiving it, as I expected by the end of the month, it will have to be still further deferred. When, however, it is in my hands, it will be immediately furnished to the House, and I think it will be of use not only to the Royal Navy, but to the Mercantile Service in general. My right hon. and gallant Friend also went into the question of the different ships whose boilers are not in good condition. Now, I do not think it would be altogether advantageous to disclose for the benefit of the world at large the exact position of the boilers of every vessel in the British Navy. I do not, therefore, think I can give my right hon. and gallant Friend the Returns he asks for. With respect to foreign Navies, we get readily the tonnage and armament of the ships, but we have no account of the condition of their boilers. Indeed, if we had, I believe I might ask the House of Commons to vote Estimates smaller in amount than it will be my duty to do. This, however, I will say, that my right hon. and gallant Friend has an exaggerated idea of the defective character of the boilers of our iron-clads. It is true that a few of the ships have to steam at a reduced pressure, and that some have been ordered home for new boilers; but it is impossible to bring such ships home at once. But I may state generally that I believe that every ship but one is in the programme for having two boilers in the coming year. He says that the pressure has been reduced in respect of the boilers of the *Devastation*. It has been reduced not on account of any defect in the boilers, but simply from prudential motives, and we have no Report that her boilers are defective. The observations of my hon. Friend the Member for West Norfolk have been, I think, pretty well answered by the right hon. Gentleman opposite (Mr. Goschen), and I fear that my hon. Friend always takes a very gloomy view of everything connected with the British Navy. He is, however, at least impartial in his criticisms, as they are pointed as much at right hon. Gentlemen opposite as they are at me. I flatter myself that in respect of anchors, cables, and other matters to which my hon. Friend has alluded, I have done a good deal to mitigate the state of things to which he has referred. He tells us that the chain cables are always parting. Now, since I have been in office, I remember only one instance, and that was owing to a slight misunderstanding as to the stopping of a ship. I think his remarks with respect to the non-sailing power of the ships, and the valueless character of ships which cannot face the sea under sail, have also been fully disposed of by the hon. Member for Pembroke (Mr. E. J. Reed), but I may add that many officers prefer ships which carry no sail at all. With regard to Trotman's anchors, all I can say is, that if a captain asks for a Trotman's anchor he can have it; but if, as is generally the case, he does not, then it follows that the anchor is not as valuable, or the captain is not as prudent as my hon. Friend supposes. The hon. Gentleman opposite (Mr. R. W. Duff) alluded to the propriety of appointing captains to ships some time before they were required to take command of them. Well, I concur with him on that point, and have acted on that view in the case of the *Thunderer*, and also in the case of the *Alexandra*. With regard to the engineers also, I have made a change. Formerly, it was the practice to appoint the chief engineer just before going to sea. I thought that system wrong, and that he ought to have time to become more intimately acquainted with his ship, and now the senior engineer is appointed some time before his predecessor leaves the ship. I trust that the House will excuse me for not going into greater detail at this hour of the night (20 minutes past 10 o'clock) as I naturally wished to introduce the Navy Estimates in Committee of Supply, and have but little time left for that purpose.

CAPTAIN PIM said, that although the question as to the condition of the Navy was one of paramount importance, he had no wish to interpose between the right hon. Gentleman and Supply, but he wished to refer to two matters connected with the *personnel* of the Navy. The first was as to the naval cadets—of educating their young officers for future admirals; and respecting that, it appeared from a Return before him, that the cost to the State of educating each naval cadet on board the *Britannia* was £308, to which was to be added the sum of 70 paid by the parents of each cadet and £5 to the naval instructor. The cost, therfore, was enormous. He was glad to hear that the Government were about to dispense with the *Britannia;* but regretted to learn that they were going to establish an expensive College on shore, at Dartmoor, because it was quite unnecessary. The cadets could be just as well educated at the Royal Naval School at New Cross, at the expense of their parents, and without costing the nation a single penny. From that school had issued no less than 300 naval officers and 82 marine officers who had served with credit. He had headed a deputation to the right hon. Gentleman opposite (Mr. Childers), on the subject of the education of the young gentlemen, and he said it would interfere with his patronage——

MR. CHILDERS: The hon. and gallant Member is quite mistaken.

CAPTAIN PIM: The right hon. Gentleman will find that I am quite correct, if he will refer to *The United Service Gazettte* for 29th of January.

MR. CHILDERS: I am not responsible for what may be written in a newspaper; but what I said was that under the plan of the deputation all nominations to the Navy would be in the hands of the governors of a private school, instead of in those mainly of naval officers, and that this would injure the service.

CAPTAIN PIM said, that he must be allowed to adhere to the account given in *The United Service Gazette.* He hoped the Government would take into serious consideration the best means of improving the education of the Navy. The next point he was desirous of drawing attention to was the question of Reserves. From a Paper on the Table it appeared that our Mercantile Marine had dwindled down in a few years from 120,000 men to about 13,000 able seamen. Two-thirds of the crews of our ships were foreigners, and a friend of his who had brought a merchant ship home the other day told him that not less than 16 languages were spoken on his forecastle. The loss of the *London* was attributed to the fact that so many of the sailors were foreigners, who could not understand the captain's orders. These 13,000 able seamen had joined our Reserves; but not one of them could possibly be forthcoming in the day of trial, because they would be wanted to bring home the grain ships necessary for our food supply, and therefore as a Naval Reserve were useless.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES AND NAVY EXCESS ESTIMATE, 1875-6.

SUPPLY—*considered* in Committee.

(In the Committee.)

MR. HUNT: I must say, Sir, in rising to move the first Vote for Men—which will be the same number as in the previous year—that it is a great satisfaction to me to ask the House for a less sum than I did when I stood here last year on a similar occasion. It is a double satisfaction to me, because, in the first place, I never wish to make a larger demand on the British taxpayer than is absolutely necessary, and every reduction that can be made is in accordance with my views as an economist; and, in the next place, it is a satisfaction to me that the state of the Fleet is so far advanced since I addressed the House when the Navy Estimates were last before it, that it is quite safe for me to make some reduction in the sums required for the coming year. The Committee will remember that last year I made some very exceptional demands, which were very liberally responded to. The supplies then voted went a long way to satisfy those exceptional demands, and there is no necessity to renew them on the present occasion. The total amount of the Estimates for 1877-8 is £10,979,829, showing a net decrease in the current year of £309,043. Of this sum there is a charge of £168,820 for services connected with the Army Department in the conveyance of troops. On the other hand, the sums taken in the Army Estimates for the Navy amount to a larger sum than that taken in these Estimates for the Army, amounting to £291,343. Therefore, in order to ascertain what is the total cost of the Navy, I have to add the difference between these two sums—or £123,063 — when it is found that the total gross cost of the Navy is £11,102,892. I have, however, to deduct the sum of £217,000, credited as extra receipts and the contribution of the India Government—which is £5,000 less than the amount of extra receipts last year. We then arrive at £10,885,892 as the net estimated cost of the Navy for the current year. Out of the 19 Votes it will be found that there is an increase on nine of them, amounting to £134,084, and a decrease on 10, amounting to £443,127. The net decrease of £309,043 will about correspond with the decrease this year as compared with last in the amount taken under Vote 10, Section 2, for steam machinery and ships built by contract, while the increases and decreases on the remaining Votes almost counterbalance each other.

Having now for the last three years held the office of First Lord, which obliges me to make this annual Statement, it will probably be interesting to the House if I state what has been done in the shape of shipbuilding work and repairs during that time, and I am the more anxious to do so from the remark made the other night by the hon. Member for Lincoln (Mr. Seely), whom I do not now see in his place, to the effect that the Navy was now in no better state than when first I took it in hand. During the last three years 54 ships, excluding yard craft and other small vessels, have been laid down. Of these 4 are iron-clads, and 47 others are designed for fighting purposes. These latter comprise 13 corvettes, 8 sloops, 4 gun-vessels, 21 gun-boats, and 1 torpedo boat. Of the 54 vessels, 30 have been launched. Of these 30 again, six have been completed, 12 are in a forward state, and all it is estimated will be completed in the year 1877-8. Taking now the amount of tonnage calculated up to the end of this month, so as to complete the financial year, I find that during the three years there will have been built of armoured ships 37,000 tons, old measurement—28,500 in dockyards, and 8,500 by contract. Now, what does that amount to in armour-clad ships? According to the calculation of the Department the amount of armour-clad tonnage built within the last three years amounts to 10 *Vanguards*, or 7 *Sultans*, or 8½ *Devastations.* I think the hon. Member for Lincoln, if he was in his place, would admit that that is a considerable addition to the strength of the Navy. During the same period there will have been built of unarmoured ships, old measurement, 29,000 tons—namely, 13,500 in dockyards, and 15,500 by contract. Thirty-one sets of new boilers have also been ordered to be built, and have been actually completed in dockyards, since March, 1874, in addition to the completion of those ordered previously, and many other sets are now in hand. The new machinery for propelling ships constructed by contract during the same period amounts in value to 92,340 indicated horses, and consists chiefly of the new and expensive type of engines. The repairing work during the three years I have referred to has included the placing of new boilers in 48 ships and the partial completion of new boilers for 11 others. Of those 48, 28 were fighting ships and 8 iron-clads. I hope my right hon. and gallant Friend (Sir John Hay) will be satisfied that we have done something towards putting the ships which I ventured to call "dummies," by reason of their having defective boilers, into an effective state of repair. The question of training ships supported by voluntary contributions has not been neglected, but great encouragement has been given to the different societies who have taken in hand the training of boys for the Merchant Service, and though a great part of the expense of preparing these ships has fallen on the societies, considerable assistance has been given by the Admiralty in repairing and altering the ships. The *Exmouth* has been completed to replace the *Goliath* as a training ship for boys under the Forest Gate Society, and the *Conqueror* has replaced the *Warspite* under the Marine Society. The *Nile* replaces the *Conway* at Liverpool, the latter being too small, and the *Frederick William* replaces the *Worcester* in the Thames for the same reason. Then the *Mount Edgecumbe*, formerly the *Conway*, has been established as a new training ship for boys at Devonport. The *Clio* has also been established in North Wales and the *Worcester* at Cork for the same purpose. So that, while not neglecting the interests of the Navy proper, we have done something towards satisfying the opinion of the House and the country that encouragement should be given to training establishments for the Merchant Service at different ports.

Having stated the amount of the tonnage, I now wish to show how far individual ships have progressed. The *Alexandra* has been completed and commissioned, and, as I have heard to-day, has just arrived at Gibraltar on her way to Malta. The *Thunderer* is now ready for commission. When we came into office she was almost complete, but we have improved her fighting efficiency by the introduction of hydraulic machinery, and this has caused some delay. Of course, the terrible calamity to which I alluded the other day contributed to delay her completion, but that is remedied so far as the ship is concerned. I am sorry to say that it cannot be remedied in other respects. Three ships for coast and harbour defence, the *Cyclops*, *Hecate*, and *Hydra*, were nominally completed, there being but little to complete them to make them ready for sea, but they are now absolutely ready for commission if required. Of course, I am speaking of ships which had attained a certain state of progress, but which were not available for service. Then the *Dreadnought*, the *Temeraire*, the *Shannon*, the *Nelson*, and the *Northampton*—three of which were in progress three years ago, and two of which I commenced myself—will, according to our Estimate, be completed in the coming financial year. Under these circumstances, I hope my right hon. and gallant Friend, even if some of the boilers in the commissioned ships are in want of renewal at the end of the year, will be satisfied, at all events, that we shall have something to take their place. Considerable progress, again, has been made in the *Inflexible*. She will be ready to have her engines tried this year, and will, I suppose, be ready for sea some time in the following year. The *Ajax* and the *Agamemnon*, too, have made some progress; the *Ajax* will, I hope, in the course of the year be advanced to 36-100ths, and the *Agamemnon* 44-100ths. A great deal has been said on many occasions as to the programme for shipbuilding in the Dockyards and by contract not being completed, and it has been said that although the Estimates look well on paper the actual results have not corresponded to the promises. I was obliged to confess, after being a year in office, that I was no better than my Predecessors, and that my shipbuilding programme had fallen short of my anticipations. After a year's experience I thought I had learned how to prevent that happening in future; and the result I will state to the Committee. Last year I was able to state that the programme was practically fulfilled, and I am happy to inform the Committee that it will again be fulfilled at the end of this month. The programme was in the Dockyards 13,497 tons, but the Estimates have been revised, and that makes a little difference. The actual work that will have been completed is 13,451, which is 46 tons less than was anticipated; but, if calculated according to the original Estimate, it actually would have been 13,966, or 469 tons in excess of the Estimate. As regards contract work we estimated to build 10,265 tons, and we shall have built actually 10,838, or 573 tons more. The new boilers were estimated to represent 20,000 horse power and will actually represent 20,967, so that in that item too the estimate will be exceeded. I was anxious to state these figures because the Committee have been very liberal in granting supplies, and I desired to show to what use those supplies have been put. I hope the hon. Gentleman the Member for Lincoln, if he deigns to cast his eye over the statement I have made, will be satisfied that I was justified the other night in saying that he was in a state of ignorance as to the progress made.

Perhaps, while I am on the subject of ships, it will be convenient for me to indicate what we propose to do in the coming year. Fault has been found with me on both sides of the House with regard to the variety of types of ships that are laid down. I do not think that these criticisms are altogether just; for, if you are always to build a ship exactly on the lines of the old type, you must give up all the improvements that have suggested themselves in the meantime; and you must give up meeting, by defensive works, the improvements made in the mode of attack. To say, then, that your ships should always be built on the lines and according to the types of the previous ones would, I think, be a great mistake. We can only deal with our present state of knowledge. With respect, however, to the ships that have been laid down while I have been at the Admiralty, I think, as regards the iron-clads, at all events, that the criticism I allude to cannot justly be made, for two of them have been of the *Nelson* class, and two of what I have heard called the "young" *Inflexible* class — namely, the *Ajax* and the *Agamemnon.* I propose to lay down at Chatham another *Agamemnon*, following the type that commended itself to the Committee the year before last. But I am bound to say I must incur that criticism to which I have referred with regard to the ship that I propose to lay down and which will be of a kind as yet unknown in any part of the world, but which has been much talked about, and has been much pressed upon me by that gallant officer who stands at the head of the veteran list of the Navy—I mean Sir George Sartorius—who has shown that although his age is great his mind is still youthful, and that he is willing to receive new ideas and able to inculcate them. Well, the ship we propose to lay down is called a torpedo-ram. I am not in a position to give the exact design. A design has been prepared, but modifications are in contemplation, so that I cannot give it exactly, or state the cost. But the cost, I take it, will be very considerably less than that of the iron-clads which have recently been laid down, and I hope that as a weapon of offence it will prove very destructive, indeed, if need be. I should be disposed to ask, even if the design were completed, that I might be excused from giving the particulars of it to the Committee. I know it is excessively difficult to keep any design or invention secret, and that when the work is going on in the dockyard that is next to impossible; but while the design has not gone beyond the Admiralty, it is possible to keep it secret, at all events, to a certain extent, and I do not think we ought to let it become known to the world before we need. I may say generally that it is proposed this torpedo-ram should carry armour, but not guns. Beyond that, I hope the Committee will not expect me to go. This vessel must, of course, to a certain extent, be regarded as an experiment, and even supposing it to be a success I could not propose it to the Committee as likely to supersede all other kinds of fighting ships, but only as a useful adjunct to a fleet in case of war. It is, of course, impossible that the torpedo-ram should serve for general cruising purposes. She will only be a battle ship, and, probably, it would not be desirable that she should be kept at sea for a long period at a time, but I venture to think she will prove a very formidable weapon, and if she should become a success, it may perhaps be regarded as a sort of rival to those monster ships with tremendous armour that we hear spoken of as likely to be built in some foreign ports. Well, I propose to lay down a corvette at Chatham, which will be, I think, something of the *Boadicea* type, with, perhaps, some little corrections, which at present I cannot exactly state. Also, I propose to lay down at Sheerness another sloop of the *Osprey* class. Besides these I propose to lay down two sailing brigs at Pembroke. As far as our means have allowed I have endeavoured to send our young seamen out to sea in sailing vessels to get practice; but the ships suitable for the purpose have been limited in number. The *Eurydice*, an old sailing ship, has been re-fitted for that duty and has just been commissioned, and I hope that, with the use of the brigs, when they can be spared, there will no longer be ground for complaint that the young seamen are kept too long in port instead of being sent out to learn their duties at sea. The tonnage that is proposed to be built at all the Dockyards in 1877-8 is 14,240, of which 8,621 will be iron-clads and 5,619 will be unarmoured. As regards ships to be laid down under contract, I propose one composite sloop, two gun-vessels of the *Kestrel* class, three gun-boats of the *Mallard* class, and 15 torpedo-vessels, which will be for the use of the War Office, and will be employed for harbour defence. We have already made a commencement in producing these special boats for defending our harbours, but it is necessary, in order to be completely prepared for that kind of defence, that we should have a small flotilla of torpedo-vessels. The tonnage to be built by contract is 6,248, of which 961 will be iron-clad, and 5,287 unarmoured. Therefore, the total tonnage to be built during the year, both in the Dockyards and under contract, will be 20,488. Of this 9,582 will be iron-clad, and 10,906 unarmoured.

In connection with the torpedo question, I should like to mention that an independent torpedo school had been established for experiments and for the instruction of officers. The *Vernon*, which was a tender to the *Excellent*, gunnery ship, has been used for this purpose. I do not know that I need give the establishment that will be requisite; but I may say that there will be two courses of torpedo instruction given on board the *Vernon*, the longer course for commanders, lieutenants, &c., and the shorter one for petty officers and seamen. While on this subject I may mention that in Vote 10, Section two, there appears a new item, a sum of £80,000 for the purchase of torpedoes. The War Office has generally made provision for them in its Estimates, but I have become a little alarmed lest we should be behind other nations in this matter; and, therefore, with the consent of the Treasury, I gave an order last year for a considerable number of torpedoes from Mr. Whitehead, and by the terms of the engagement we are to have the advantage of any fresh improvements that he may make in the meantime, and as he has been continually making discoveries, I think the arrangement will be very satisfactory.

Hon. Members are aware that since last Session I have made regulations with regard to the performance of navigating duties, under which officers of a certain rank of the navigating class may be transferred, at their option, to the executive list. The question has been beset with difficulties, because of the existence of two different classes of officers. I am quite aware that the scheme which, after very careful consideration, was adopted, is open to criticism, but it is utterly impossible in a transition period to prevent all inequalities between one man and another. We will endeavour to do the best we can in this matter. I have no doubt that for some time there will be a certain amount of discontent, and possibly in some cases there may be an appearance of hardship. But I venture to think that in the course of a few years the transition will be made and this temporary inconvenience will be got over.

I stated some time ago that I had great difficulty in getting boys for the Fleet, and that as an inducement for them to enter the Service we had tried the plan of giving them free kits. We not only did that, but for some time we found it necessary to reduce the standard of height and, to a certain extent, of education. That, however, lasted only for a certain period, and when the need for it ceased, the old standard was restored. I was extremely anxious to know what kind of boys were admitted under the lower educational test, and consequently during my inspection of the training ships last autumn, I made it my duty to inquire into the matter. I had the boys themselves, in a great many instances, pointed out to me, and I asked questions of the instructors with regard to them. The answer generally was that, although those boys had given a great deal of trouble to the schoolmaster, as one would naturally expect, a great many of them were the smartest lads in the ship. It is, then, I think, so far satisfactory to know that if in case of difficulty we relax the test, we shall be able to get boys who will be efficient for the ordinary purposes of our ships without a very high standard of education, and a reserve to fall back upon, if need be. But during the last few months the number of boys anxious to enter the Service has exceeded the number we require, although in the critical state of European affairs I did not deem it desirable to check the entries. The result is that, although there are fewer boys for Service than the number proposed in the Estimates, we have more entered for Training, while the number of men has swollen beyond the number contemplated when the Estimates were being prepared. In order to check the entries, we have raised the physical standard. We had already returned to the educational standard; but we have recently raised the physical standard by one inch for boys between, I think, the ages of 15 and 16, half an inch being added to the chest measurement. By that means I hope the entries will be kept down to the legitimate number. I may here observe that although we have taken the same numbers for the Fleet, we have divided them rather differently. We have taken fewer boys and more men. The fact is, we have got a greater number of men, and by entering 300 boys fewer than we used to provide for, we thought we should be able to keep up the number of men. The difference in rating, I may add, between a boy and a man causes a considerable increase in Vote 1. There are also other causes for that increase. There are more officers in employ, the number of ships being greater, and those employed are on a higher rate of pay.

There are also other causes of increase to which I shall advert presently; but I am sure my hon. and learned Friend the Member for Chatham (Mr. Gorst), who brought the question before the House more than once, is anxious to hear what it is I am going to do with regard to the Marine officers. I am sorry to say I am not able to give him as full information to-night as I should wish, but I will give him all that is in my power. My hon. and learned Friend has, I believe, thought me somewhat slow in acknowledging the grievances under which Marine officers laboured. I can, however, assure him that I had been little more than three months in office when—it was, I think, in June, 1874—I became so impressed with the necessity of alleviating the grievances of those officers that I laid their case before the Treasury. I was, however, unable to induce the Treasury to do anything in the matter until the Report of the Army Commission upon the subject of promotion and retirement was received. But as soon as I got that Report I instructed the officer at the head of the Marine Office to submit a scheme to me on the subject based on the principles of that Report. I got that scheme; but it was obvious to me that it was one which was not likely to be sanctioned by the Treasury as it stood. It seemed to me, from an Admiralty point of view, that we should make some alteration in it, and I was anxious not to lose time. Suppose I had set to work to alter the scheme in that point of view, and that it then went to the Treasury to be considered by them in a Treasury point of view, there would, I felt, be that hope deferred which maketh the heart sick, and that another Session might elapse before anything was done. I proposed, therefore, to the Treasury to have a joint Committee to examine the scheme. This Committee is now sitting. I also proposed—a proposal which was assented to—in order that there might be no mistake as to our intention, to make pecuniary provision for the scheme by putting a lump sum in the Estimates to give it effect. That being so, I have, I think, fulfilled the pledges which I gave my hon. and learned Friend last Session, and I may, I believe, hold out to him the hope that he will know what the scheme to which I have referred is in the course of the Session, for I saw the Chairman of that Committee this morning, and he told me that I might promise that I would be able to announce to the House the proposal which it would make before the close of the present Session.

I now come to the question of the engineers, the importance of improving whose position forced itself on my attention some time ago, and in September, 1875, I appointed a Committee, of which Admiral Cooper-Key was the Chairman, to inquire into the subject. That Committee made a most valuable Report, from which I may, perhaps, be permitted to read the following extract:—

> "We have entered on this inquiry with a full sense of the importance of the subject. No arguments are needed to prove that the efficiency of our Fleets, on which the strength and security of this country depend, become daily more and more intimately connected with the question of the machinery of our ships of war."

That is the view taken by the Committee and also by the Admiralty. The Report is a long one, and I cannot undertake to read more than that extract, but the Report itself is on the Table, and hon. Members who are interested in the subject will find it well worthy of perusal.—[Mr. CHILDERS: The Report is not yet on the Table.] Then it will be in a short time. The Report points out that it is necessary, in order to attract men to the Service, to improve the condition of these officers, both as regards pay and position; and we have accepted the principles of that Report. We have not, however, accepted all the details. The proposals of the Committee with regard to increase of pay have been somewhat modified, and there has been some slight modification also as regards the question of relative rank. But as far as the main principle of the Report is concerned, I think I may say we have accepted it entirely. We propose to improve the pay of the engineer officers and of the engine-room artificers. It is also proposed to give them in many cases improved relative rank, and we shall endeavour altogether to put them on as good a footing as we can. As regards the engine-room artificers, we propose to make increases of their pay and to appoint a new rating —that of chief engine-room artificer. Then the Committee took much evidence as to the necessity of having so large a complement of engine-room officers, and made a recommendation, which we have adopted in great part, that the number of engineer officers should be reduced, and the number of engine-room artificers augmented. Unless we were able to do this, the financial results of accepting the recommendations of the Committee would have been serious; but with that modification, I think we have brought the proposal within moderate limits. The Committee have pointed out, what it is impossible to overlook—namely, the difficulty of treating engineer officers on an equal footing with the executive officers of the Navy as long as they are drawn from a much lower social stratum. This, perhaps, is a delicate matter to speak about, but it is referred to in the Report as raising a serious difficulty. The Committee recommend that we should endeavour to attract persons of a higher social position to this branch of the Service, and I propose to try the experiment, though I do not mean to say that the subject is free from difficulty. But, looking to the history of civil engineering in this country, I remember the time when it was deemed derogatory to the dignity of gentlemen to send their sons to learn that business. I have lived, however, to see the day when gentlemen, and even Peers of high rank, have sent their sons to learn it, and in order to learn it to any purpose they must necessarily go through the manual and practical part of the business. I cannot see why, therefore, if they are treated with proper consideration and due regard to their habits at home, we should not be able to induce gentlemen and Noblemen to send their sons to follow what I consider to be a very honourable profession. The Committee have recommended that greater pains should henceforth be taken in the selection of candidates. I propose, therefore, that there shall be a free competition among those candidates who are approved by the Admiralty, but that great pains should be taken in regard to their vouchers of respectability. It is likewise proposed that for three years they should pay £25 a-year for their instruction. The Committee recommend that certain privileges should be given to them in the dockyards, and that a distinction should be made between them and the workmen in regard to the way in which their names are entered on coming through the gates. Other privileges will also be accorded to them. But these details will require consideration, and I will only say now that we shall endeavour to make their apprenticeship in the dockyards, which must involve them in a great deal of manual work, as pleasant and easy as in the circumstances it can be made. As regards the increased pay, the Chief Inspector of Machinery Afloat—whose title will be modified by dropping the word "afloat"—will, it is proposed, have his full pay increased from £1 5*s*. a-day, or £456 5*s*. a-year, to £1 12*s*. a-day, or £584 a-year. The half-pay is raised from 16*s*. to 18*s*. per day; the maximum retired pay from £450 to £500 a-year; and these officers will be permitted to count for retirement all confirmed time served in the junior ranks from the age of 20. The number of Inspectors of Machinery will be increased from five to seven, should their services be required. We also drop the word "afloat" from their title. Their full pay will be increased from 25*s*. to 28*s*. per day, and their half-pay from 16*s*. to 17*s*. They will also be allowed to count towards retirement all confirmed time served in the junior ranks from the age of 20. The number of chief engineers will be gradually increased from 170 to 220, and chief engineers will be employed in ships not at present authorized to carry them. Their full pay will be increased. It will in future commence at 13*s*. instead of 12*s*, a-day, going up by steps. Their half-pay will be increased from 6*s.* to 6*s.* 6*d.* for a period under five years' service. I should only weary the Committee if I went into further detail upon these points, but they will gather that a substantial improvement has been made. [Mr. GOSCHEN: We shall see it in the Report?] The Report will be laid upon the Table; but I have indicated some of the changes as to the nature and scale of the advantages we propose to confer in these cases. As regards pensions there will also be some improvement. The pay of engine-room artificers will be increased, and there will, as I said before, be a new rating of "Chief engine-room artificer." This Force will be a means of promoting the best men in the service to higher pay and posts of greater consideration. Some complaint has been made as to the mode of obtaining leave, the care of their mess-places, and the size of their sea chests, and endeavours will be made to meet their wishes in this respect and make them more comfortable when afloat. As far as practicable a separate mess-place will be provided for them, and in some cases there will be an improvement in their relative rank. Altogether there has been an endeavour to consider this valuable class of officers and artificers and to raise their pay to a rate which may be considered commensurate with the position they ought to occupy in the ship. As to the entry of students, it must be considered only tentative. It is the recommendation of a Committee, and I hope in the course of a very short time to bring out regulations on the subject and invite students to enter. Some persons are not sanguine as to the success of the plan. Others—I myself among them—hope we shall be able to induce the sons of parents of higher position to enter this Service, and I shall consider myself fortunate if I am able to inaugurate such an improvement in the Service. We have also found it necessary to make another new rating—a rating of wood and iron shipwrights, and also to give increased pay to various classes of artificers on board ship. We found a great want of men competent to deal with the new class of ship—skilled shipwrights, and we therefore thought it necessary to establish this new rating with a higher class of pay; but artificers under the old rating will have an opportunity, if able to pass the necessary examination, of succeeding to this higher rating.

Another point, for which the printed Estimates will have prepared the Committee, is the proposal to increase the pay of 2*d.* a-day to the re-engaged men of the seamen class. The want of the Navy is a superior class of men to set a good example and perform the duties of petty officers. Great complaints are made by naval officers of the difficulty of getting good petty officers for the Fleet. The other day, when a ship of importance was about to be commissioned, we were 18 petty officers short, and could not get them, except by taking away men who were re-qualifying as gunners. In the case of another ship we were 14 petty officers short. This is a serious matter, because these men are the back-bone of the Service in point of discipline and example. All the naval officers with whom I spoke on this question recommended me in the strongest way to give an additional inducement to men to re-engage in order to supply what we want—men to set a good example to others who have not had the same experience in the Service, and are not so well accustomed to the discipline.

It may be interesting to the Committee to see what the entry of 100 boys amounts to as years go on. Experience shows that the entry of 100 boys results in the entry of 88 ordinary seamen. They re-engage for a period of 10 years as men, and at the end of that period what is technically called "waste"—the diminution of numbers from deaths, invaliding, discharges, and desertions—reduces the number to 40. It appears, then, that at the expiration of 10 years the 88 who enter as ordinary seamen become only 40. The expense of training boys for the Service is very great. I think it is £65 a boy; at all events, it is something like that sum; but when you have got him at the end of his 10 years' service as a man he is a highly manufactured article, a good seaman, whom we should try and keep; and I say it is sound policy to spend the money on his training. But though we have many re-engagements, those who decline to re-engage form from 25 to 35 per cent, and if we could induce a larger proportion to re-engage it would be very good policy to spend the amount which I propose in effecting that object. The cost of the present number re-engaged is £10,500. I do not suppose that the extra inducement which I have indicated will prove sufficient for every man who now refuses to re-engage; but I am sanguine enough to believe that it will attract a good many. There is a feeling amongst the men—and a very natural feeling—that after their 10 years of service they are worth more than before and that they ought to experience pecuniary benefit with the lapse of those years. Of course, it may be said that they get pensions; but they have a feeling that they ought to be paid more in actual wages, and the inducements to them to leave the Service by reason of the lucrative offers they get on shore are very great. A man whose constitution has stood the work for the 10 years' period of service, and whose moral character is such as would not only enable him to remain in the Service, but to get a good rating, will obtain on shore a very good employment. Therefore, if the Committee should sanction my proposal, I look forward with confidence to its being of great advantage to the Service in the direction I have indicated. The entry of boys for the Fleet this year has been even greater than our requirements; and that, I think, is a very satisfactory state of matters. I do not, however, dwell too much upon it. We all know that trade has been in a depressed state, and, perhaps, that may be one cause of the satisfactory state of matters to which I allude. The same thing has been stated by my right hon. Friend as regards the Army; there has been a larger number of recruits, and no doubt the cause which has affected the Army has affected the Navy also. But, in any case, it is gratifying to know that while on a former occasion I was obliged to complain to the House of the difficulty of getting boys I have now a very different statement to make.

I believe I have now called the attention of the Committee to the most important matters as regards the *personnel* of the Fleet which involve an increase of expense, but there is one matter which I should like to mention, and that is the state of the Naval Reserves. On that subject an interesting Report has been made by Admiral Tarleton, late Superintendent of Reserves, which has been laid on the Table. I will not trouble the Committee by going through the Report at length, but will just state the numbers of the Naval Reserves at the present time. At the time of the last Return they amounted to 17,919, or, in round numbers, 18,000, and that is an increase of more than 4,000 since the 1st of March, 1874. As regards the Second Class, we should be able to enter more men if we wished it, but we were obliged to refuse. With respect to the First Class, we should be willing to enter more. Admiral Tarleton, in his Report, states that he thinks we can get from the Mercantile Marine any men we want not disqualified by age, character, or other matters. That is a very important matter. I have directed inquiries to be made and statistics to be prepared to elucidate the subject. And here I may mention, what I am sure will be gratifying to the Committee to hear, as it will be gratifying to the Royal Naval Reserve, that His Royal Highness the Prince of Wales has taken such interest in that body that he has expressed a wish to hold an honorary commission in the corps, and I hope in a few days to see His Royal Highness gazetted as an honorary captain of the Royal Naval Reserve. I am sure that will give great satisfaction to the corps, and that it will derive additional honour from having the name of His Royal Highness connected with it. And here I may mention officially, what I believe is known already to many hon. Members—that while His Royal Highness is going to enter the Naval Reserve, his two sons, the young Princes, are to be placed on board the *Britannia* for their education, with the view of one of them at a future time, at all events, becoming an officer in the Royal Navy. The number of men in the First Class of the Naval Reserve is 12,461, and in the Second Class 5,458, making a total, as I have said, of 17,919. The Royal Naval Artillery Volunteers number in London, 370; in Liverpool, 385; and in Bristol, 80; making in all 835.

A Question was asked some while ago by the right hon. Gentleman opposite (Mr. Childers) whether the tons weight of hull I gave were builders' measurement or not. I am now able to answer. The number of tons was 20,488—that is, 22,586 tons builders' measurement.

I cannot conclude without noticing the return of the Arctic Expedition. The Arctic Expedition started with the hope of many in this country that it would be successful in reaching the Pole. That expectation has not been realized, but I think it would be a mistake to suppose that the labours of the Arctic Expedition have been thrown away. It is difficult at present to estimate exactly all the advantages that have been reaped; but as regards geographical knowledge I think we know exactly what has been obtained. First of all, a much higher northern latitude has been reached than ever was before attained. The highest latitude reached was 83 deg. 20½ min.—that is, 35½ miles higher than Parry attained in 1827, and he attained the highest latitude ever previously attained—namely, 82 deg. 45 min. N. The extent of new land traversed exceeded 300 miles—on the west 220 miles, and on the east 80—beyond the northern opening out of Smith Sound, all lying between the 82nd and 83rd parallels of north latitude. The western shores of Smith's Sound between the 79th and 82nd parallel were closely examined in the progress of the ships to and from their winter quarters near the 82nd parallel, and thus the coast line of the northernmost land adjoining the American Continent is now accurately charted. The conjectural open sea northward of Smith Sound and the land assumed to be there have been proved not to exist, and we now know from the condition of the ice in this region that the Pole is here unapproachable, at least by any means now known. This is a substantial gain as narrowing the limits within which Polar enterprise is feasible. As regards the scientific discoveries which have been made, it is impossible at this moment to say what their precise value is; but in connection with the Expedition great labour has been bestowed on many branches of science, particularly on physics and natural history. The scientific results are in process of being formulated, and will, I know, be found very valuable. In one branch of science, that of the tides, sufficient from a cursory examination has even now been ascertained to pronounce them of the highest value in solving a hitherto perplexing but important problem in connection with the movement of great bodies of ocean water. Of course, the popular idea of the Expedition was that it should reach the Pole; and undoubtedly a great triumph would have been gained to this country, in addition to advantages of a scientific nature, if that result had been accomplished. Unfortunately, the Expedition broke down in consequence of the outbreak of scurvy; but, dreadful as were the sufferings which that outbreak imposed upon the men, it cannot be said that it prevented the Expedition reaching the Pole. It would have been impossible as the officers and men were then placed—with the hardships which they would have been required to undergo, and the limited time available for the purpose—for them to have reached the Pole. The Report of the Committee which I appointed to inquire into the cause of the outbreak of scurvy has not yet reached me. I have seen a draft of it, but I have not yet received the official Report with the signatures of the Members, and I cannot, therefore, more particularly refer to it at present. But I could not help adverting to the Expedition, because, whatever errors of judgment may have been committed in regard to the sledge dietary, I think we must recognize the indomitable pluck and energy displayed by all those who took part in the Expedition, and the great skill and ability with which the captains of the ships navigated their vessels through those frozen regions and brought them home in almost as good a state as when they left this country. Of course, there are many topics which may present themselves in considering the Votes in detail; and upon those topics I shall be happy, when they arise, to give the Committee all the information I can. I now beg leave to propose the Vote for 60,000 Men and boys, including 14,000 Marines.

(1.) Motion made, and Question proposed,

"That 60,000 men and boys be employed for the Sea and Coast Guard Services for the year ending on the 31st day of March 1878, including 14,000 Royal Marines."—(*Mr. Hunt.*)

Mr. E. J. REED said, he should move that Progress be reported, as there had been no opportunity of discussing the points raised by the explanatory Statement of the First Lord. That Statement was a very important one, and deserved ample consideration.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. E. J. Reed.*)

SIR JOHN HAY hoped the hon. Member for Pembroke would not press his Motion before the first Vote was taken. It was usual to vote the number of men on the first night.

MR. ANDERSON expressed his surprise that some reference had not been made to the navigating officers.

MR. HUNT said, that he had referred to those officers when the hon. Member was not in the House. He understood from his hon. Friend the Secretary to the Treasury that it was very important the Vote for the money should be taken at once. Perhaps he would state his reasons.

MR. W. H. SMITH put it to right hon. Gentlemen opposite whether it had not been usual to vote the number of men? It was necessary to have the Votes for both men and money before Easter, and in time for the Mutiny Bill to pass.

MR. GOSCHEN said, he did not remember any occasion when the men and money had been taken simply on the Statement of the Minister without the opportunity of continuing the debate. He understood that the University Bill was to be taken on Thursday week, but he thought it would be advisable not to begin any new Bnsiness before Easter. The Government should remember that most of the Motions which had been brought before the House had not come from the Opposition Benches.

MR. HUNT hoped the Committee would allow him to take the Vote for the men. He would not at present ask for the money.

LORD ESLINGTON said, they were placed in a most inconvenient position by the number of Motions which had been made by hon. Members on the Question that the House go into Committee on the Naval Estimates. Those Motions were, no doubt, very interesting and important in their kind, but they would be far more appropriately discussed in Committee. The House was debarred for five hours from hearing the Statement of the right hon. Gentleman the First Lord of the Admiralty; and he must say that a more important or a more interesting Statement he had never heard than that of the right hon. Gentleman that evening in laying the Navy Estimates before the Committee. It was a statement that contained much that was new, and one which he believed would be read with deep interest by the country.

MR. T. E. SMITH urged the importance of entering as many boys as they could obtain for the Navy, and also of taking more practical steps than those now contemplated for training them in seamanship. They should be trained by being sent to sea in steam vessels, but worked under sail. As to the engineers, they wanted some definite and immediate improvement in their position, in order that they might share in the advantages proposed to be conferred on that class of officer.

MR. WHALLEY wished to draw particular attention to the statement of the right hon. Gentleman in regard to the cost of boys on training ships. The cost had been stated by the right hon. Gentleman to be £65, and he had announced his intention of providing a sum of £25 for each boy on the training ships about to be established. That was a fact which ought not to be lost sight of; and, speaking for the training ships with which he was intimately connected, he could say they were perfectly satisfied with that £25. He wished to acknowledge the great courtesy of the right hon. Gentleman to all who had occasion to communicate with him, either on the subject of training ships, or of the Naval Volunteer Service.

MR. SHAW LEFEVRE asked if it was the intention to add to the total number of engineer officers? The right hon. Gentleman had stated his intention of increasing the total number of chief engineers from 170 to 220; and whether before the subject was again under the consideration of the House, the right hon. Gentleman would take care that the Report as to engineer officers should be in the hands of hon. Members?

MR. HUNT: I think I stated it was proposed to decrease the engine-room complements of certain ships, and to have fewer engineer officers and more artificers.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £75,511 2*s.* 3*d.*, Navy (Excess), 1875-6.

CAPTAIN NOLAN asked how long the printed Paper on the subject had been in the hands of hon. Members?

MR. HUNT: It was delivered several days ago.

Vote *agreed to*.

EXCHEQUER BONDS.

(3.) £700,000, Exchequer Bonds.

MR. W. H. SMITH, in moving—

"That, towards raising a Supply to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum not exceeding £700,000 in Exchequer Bills or Bonds,"

said, the Exchequer Bonds issued last year would become due on the 28th of this month. It would be necessary to pay those bonds. This was not a new loan, but merely a renewal of amounts required for the purposes of the Public Works Loan Commissioners, under the Act of 1875.

Vote *agreed to*.

On Question, "That the Chairman report Progress, and ask leave to sit again,"

MR. CHILDERS asked when the debate would be resumed?

MR. HUNT said, he could not say at present whether the discussion would be renewed before or after Easter. The discussion, on going into Committee, had lasted so long that he should have to consult the Chancellor of the Exchequer as to the future course of Business.

MR. CHILDERS hoped it would be either on Monday or Thursday—not on Friday.

Question put, and *agreed to*.

House *resumed*.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday*.

TREASURY AND EXCHEQUER BILLS BILL—[BILL 88.]

(*Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

CONSIDERATION. THIRD READING.

Order for Consideration, as amended, read.

MR. W. H. SMITH said, it was important that this Bill should go up to the other House without delay. The Bill was one to which no objection was made, and he trusted that the House would not object to pass it through the remaining stage.

Bill, as amended, *considered;* read the third time, and *passed*.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

1. *Resolved*, That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £700,000, by issue of Exchequer Bonds.

2. *Resolved*, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds.

3. *Resolved*, That the interest of such Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consoldated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported *To-morrow;*

Committee to sit again upon *Wednesday*.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, 13th March, 1877.

MINUTES.]—SELECT COMMITTTEE—*Report*—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod. No. 25.))

PUBLIC BILLS—*First Reading*—Treasury and Exchequer Bills*; Burial Acts Consolidation (27).

Committee—*Referred to Select Committee*—Public Record Office (8).

THE EASTERN QUESTION—NEGOTIATIONS.—QUESTION.

EARL GRANVILLE: My Lords, seeing the noble Earl the Secretary for Foreign Affairs in his place, I wish to ask him whether there is any information which he will feel at liberty to make known with respect to the negotiations understood to be proceeding on the subject of the Eastern Question?

THE EARL OF DERBY: Negotiations are going on with regard to the Eastern Question. I hope that before long I shall be able to make a statement on the subject to your Lordships; but, at present, matters are not in such a position as to enable me to do so.

PUBLIC RECORD OFFICE BILL.

(Nos. 8-21.) (*The Lord Chancellor.*)

COMMITTEE (*on Re-commitment.*)

Order of the Day for the House to be put into Committee (on Re-commitment), read.

After a short conversation, which was inaudible—

THE LORD CHANCELLOR said, it was at the instance of noble Lords, Members of that House, who had filled the office of Lord Lieutenant and Custos Rotulorum of counties that he had introduced clauses to make the Bill apply to counties. He was prepared, in accordance with an intimation given by him on a former occasion, to refer the Bill to a Select Committee; but it was to be understood that it was the Bill, and not the whole subject, that was to be so referred.

Order *discharged;* and Bill referred to a Select Committee.

BURIALS ACTS CONSOLIDATION BILL.

(No. 27.) (*The Lord President.*)

BILL PRESENTED. FIRST READING.

THE DUKE OF RICHMOND AND GORDON: My Lords, I do not think that any apology is needed from me in bringing forward the important subject with which this Bill proposes to deal, and which I shall attempt to explain in a few words. The importance of the subject is so great—an importance which has been admitted for so many years, and which has given rise to so many discussions both in and out of Parliament—that this fact alone, I think, would warrant and justify the course which Her Majesty's Government propose to take on the present occasion. Indeed, so important has the question been considered by the noble Earl opposite (Earl Granville) that on the first night of the Session he commented on the absence of any allusion to it in the Speech delivered by command of Her Majesty from the Throne, and seemed to think that it ought to have been made the subject of one of the paragraphs of the Speech. The importance of the matter has been recognized now for a number of years; for I find that in the year 1840, on a Motion in the other House of Parliament, a Select Committee was appointed to inquire into the Health of Towns. Though this subject was in no way part of the subject referred to them, yet the importance of it became so manifest that the Committee was obliged to go into the question; and the result was that, from the evidence taken on that occasion, Mr. Mackinnon, either that year or shortly afterwards (1842), moved for a Select Committee of the other House to consider the expediency of legislation in respect of interments in densely populated towns or places. The Secretary of State for the Home Department at that time, Sir James Graham, sufficiently recognized the importance of dealing with this question from a sanitary point of view with regard to the health of the community, and he acknowledged that the Motion was a result of the Report of the Committee; and a Bill was introduced in that year or the year afterwards for the purpose of preventing interment in towns. Sir James Graham declined to support the Bill, stating that the Government would consider the subject, and that a comprehensive Report upon the whole matter was then under consideration. That Report was afterwards presented; and any one who was acquainted with the gentleman who drew up the Report would be perfectly satisfied that it was a very exhaustive one—I mean Mr. Chadwick, who was eminently calculated to deal with matters of this kind, and whose report, therefore, was extremely valuable. Not long after the Government had taken it up Mr. Mackinnon called attention to the Report of the Committee, and also to the Report of Mr. Chadwick, and to the Report of the Ecclesiastical Commissioners, who had pointed out that interments in towns were injurious to the public health. Then there was a Commission issued to inquire into the health of towns; and though no special attention was called to, or reference made to that Committee, to inquire into the subject of interments, the evidence as to the pollution of water, as to sewers, and the deterioration of the atmosphere in various parts of the country was so great that it still occupied the attention of the other House of Parliament. And though at that time Sir James Graham declined to legislate, on the ground of the difficulty of legislating on a subject of such delicacy and magnitude, in respect of which the feelings of the people might be aroused by an interference with interments in churchyards, yet he admitted that something was necessary to be done. A Resolution was carried against the Government of the day, that it was necessary to take up and deal with the subject. Then we have a Bill introduced by the late Lord Carlisle—then Lord Morpeth. We have also, in 1848, the Public Health Act, and Sir George Grey informed the House of Commons at the time that there was a Bill in preparation dealing with the question. This was followed by the Nuisances Removal Act. Lord Shaftesbury, Lord Carlisle, and Mr. Chadwick, all recognized strongly the injury to public health caused by interment in towns, and an Act was passed authorizing Her Majesty in Council to close burial grounds where it should be clearly shown they were injurious to public health. In 1852 again my noble Friend the Postmaster General (Lord John Manners) introduced a measure designed to affect the metropolis. In doing so, he explained that the previous legislation had not been successful, inasmuch as during two years of the operation of that legislation no burial grounds had been closed. But though at the outset it only applied to the metropolis, its principle was extended, and during the succeeding year another Bill was brought in, whose provisions, under certain conditions, affected the whole country. The effect was to put an end to all intramural interments within the metropolis as well as in most of the large towns throughout the country. The necessity of that measure had become apparent from the fact that during the six years before its introduction no burial ground had been closed by an Order in Council. It may be convenient that I should state what is the general law on the subject of burials. At Common Law every person has a right to be interred in the churchyard of the parish in which he dies; but at Common Law there is no indiscriminate power to close any burial place on the ground that it is injurious to public health. This can be done only under the Public Health Act, or the Nuisances Removal Act. Under the Ecclesiastical Law, when the parish churchyard is consecrated, the parson of the parish is bound to read the service of the Church of England over every person who is brought there for interment. Before 1852 there were threeclasses of burial grounds—namely, the churchyards attached to the parish churchs, the commercial cemeteries, and the private burial-grounds. As to the first of those classes, there is, I believe, no obligation on any parish to provide a churchyard; but when one is provided, it is vested in the parson as his freehold, subject to the right of every inhabitant of the parish to be buried there. There is, however, no obligation on any one to be buried in the parish churchyard—a man may, if he chooses, be buried in his own garden. The second class—the commercial cemeteries—are usually established by Act of Parliament, and when they are established the Cemeteries Clauses Act imposes on the companies who own them certain obligations as to enclosure and decent maintenance: the companies are to provide consecrated and unconsecrated ground, and when once they have obtained land for burial purposes they cannot devote it to any other purpose. The third class belongs either to individuals or religious congregations. Since 1852 and 1853 a fourth class of burial-grounds has been established under various Acts. The first of these applied to the metropolis; but they have since been extended to various parts of the country. Since 1853 no fewer than eight Acts relating to burials have been passed, the last of them in 1871. Under these Acts, and under the existing laws, when a burial-ground is closed by Order in Council, on the representation of the Secretary of State, the Vestry of the parish in which such burial-ground is situated is to be summoned, and it has power, to set up a Burial Board if it should so think fit. It cannot, however, be compelled to do so. It is almost unnecessary that I should inform your Lordships that such has been the case in Northampton, where the Vestry declined to avail itself of that permissive power, and there persons were buried in an unconsecrated burial-ground. Again, as the law stands at present it contains an additional anomaly. Neither the Vestry nor the Burial Board which it may have set up have powers for the compulsory purchase of land; but if the Burial Board do establish a burial-place it is bound to provide consecrated ground therein—consecrated ground must be provided for the members of the Church of England, although a churchyard may not be needed for the wants of a parish—that is to say, consecrated ground may exist without unconsecrated, but the latter cannot exist without the former. I now come to the areas of the burial districts. When the Burial Acts were first put in operation the parochial area was adopted—that is, the areas of the burial districts were the same as the Poor Law parishes. But afterwards an extension and the union of several parochial areas became not uncommon. Much confusion and complication resulted from this. There are instances in which one burial area overlaps another, and in which one portion of a burial area belongs to one parish and another portion to another parish, and owing to causes which I need not particularize it has sometimes been found impossible to decide in which jurisdiction certain churchyards lie. To show the intricacies of the Burial Acts and the necessity of consolidation and amendment in the case of those Acts, I will quote the opinion of three learned Judges. Mr. Justice Crompton, in delivering the judgment of the Court in the case of "Regina *v.* Coleshill Overseers," said—

> "It is impossible to come to anything like a decision which is perfectly satisfactory to our own minds amidst such confusion as exists in the provisions of the Burial Acts."

Mr. Justice Blackburn, in the case of "Regina *v.* Walcot," said—

> "There are, I believe, ten statutes all applying to this one subject-matter, to be read together, and, if possible, reconciled. No wonder, therefore, that difficulties arise on the proper construction of the different sections of these Acts."

Lord Chief Justice Cockburn, in the same case, spoke of "this complicated, entangled, and confused mass of legislation." I think that these opinions, as to the necessity of some legislation to explain and set forth with more perfect clearness the actual state of the burial laws, are a sufficient justification for the Government in their attempt to deal with the subject of consolidation and amendment. I do not, however, mean to rest my case solely on the necessity for consolidation. As I have endeavoured to explain, from 1840 to 1853, the general question was treated entirely as one of sanitary necessity. But it is to be borne in mind that this legislation was only partial, because it applied only to the metropolis and to certain parts of the country. In 1871 a Commission was appointed, which, among other things, was to inquire into, and report upon, the administration of the sanitary laws and the constitution of the sanitary authorities. That Commission was composed of men well qualified for the task imposed on them. I will read to your Lordships one extract from the Report of the Commission—

> "If it were not for the fear of delaying legislation, we should certainly recommend that all the Burial Acts should be consolidated and incorporated in the new statute; but under any circumstances the numerous Acts on this subject should be consolidated. . . . . The administration of the Burial Acts is under the Home Office, and should pass to the new central authority."

Well, the Bill now before your Lordships is introduced for the purpose of carrying out the recommendations of that Commission. It purposes to consolidate the Burial Acts. It also proposes to treat the matter in a sanitary point of view, and to take from the Secretary of State the powers which he now possesses in respect of burial places, and transfer those powers to the Local Government Board. The latter proposal is made for an obvious reason—namely, that the Secretary of State has no authority to enforce inspection, which is so necessary in respect of burial-grounds, whereas the local Government Board can be readily made available for that purpose. Another provision of the Bill which the Government regard as of great importance is that it sets up a Burial Authority in every part of the country; because it may be that, although the Vestry is moved to consider the question, it may decline to do so, and there is no power to compel it. The Bill proposes that in every parish of the country there shall be a Burial Authority, which may be the Vestry, or a Committee of the Vestry, or even the Sanitary Board. That is the machinery by which it is proposed to carry out the amended law. The Bill contains no fewer than 88 clauses, but I shall only indicate its main provisions. The Bill proposes to define more strictly the existing powers for closing burial-grounds, and it imposes on the Burial Authority the legal obligation of providing new burial-grounds; and I call the attention of my noble Friend opposite (Earl Granville) to this—that it does so on these grounds, either that the burial ground of the parish is closed, or that there is not consecrated and unconsecrated ground sufficient and suitable for the inhabitants, or wherever the authorities think that, having regard to the population, additional burial-ground is required. There is a further important provision which will, no doubt, receive the attention of the noble Earl. There is a section in the Bill—the 6th—which enacts that, on requisition from a certain proportion of the ratepayers representing that the district is not provided with consecrated and unconsecrated ground "sufficient and suitable for the burial of the inhabitants thereof," the Burial Authority must provide new ground, unless the Burial Authority shall think that it is not required. But from the decision of the Burial Authority that ground is not required there is an appeal to the Secretary of State, who may require the Burial Authority to provide ground if he thinks that the existing burial-ground is not sufficient and suitable for the burial of the inhabitants of the district. Of course, the words "sufficient and suitable" will include the religious views of those who make the appeal. The Burial Authority and the Home Secretary will take religious views into consideration when determining whether or not the existing burial ground is "sufficient and suitable." The Secretary of State will not be compelled to set up consecrated in addition to unconsecrated ground, if he shall think there is sufficient consecrated ground in the parish churchyard. Except in cases where other provision is already made by existing Acts, the parochial system will be adopted by the Bill, and will confine Burial Boards to Poor Law parishes; and compulsory powers are given to the Sanitary Authorities to obtain land for burial-grounds. The Sanitary Authorities will moreover be vested with the powers of every Burial Authority within the sanitary districts, so as to provide against the case where a Vestry may neglect its duties. Large powers are also given for the purpose of promoting economy by enabling Burial Authorities to combine, under the supervision of the Local Government Board. I have now given a sketch of the main provisions of the Bill. I will now revert to what occurred in your Lordships' House last year when my noble Friend opposite (Earl Granville) brought forward his Resolutions. I do so for the purpose of answering by anticipation objections which, from the remarks he then made, I presume my noble Friend may make to this Bill. My noble Friend based his Resolutions on the ground that every person had a right to be buried in the churchyard of the parish where he resided, and that there were a great number of persons who, not being Churchmen, objected to being compelled to use the Services of the Church over the bodies of their deceased friends; and he maintained that those persons suffered a grievance. On the part of the Government I then endeavoured to show that, although in some small parishes a state of things might exist that might seem to justify that objection, yet the grievance of a want of burial places for such persons did not exist in any of the large towns of the country, and that, taking the country generally, the grievance must be confined to a very small number of persons, if they deducted from the whole population the Churchmen and the persons who, though not Churchmen, do not object to the existing state of things. I showed also that the number to whom it might be a grievance was constantly and steadily diminishing. I stated that up to 1866 the number of cemeteries established was 413; that between 1866 and 1875 235 were opened, and during 1875-76 36 more—making a total of 684. I also stated that since 1852 above 2,000 churchyards had been closed, and that by a Return made to the other House, out of 6,800 parishes, the non-Churchmen had burial places in 2,230, or one in every three parishes. I have made inquiries into the number of cemeteries provided since the date up to which the Returns were completed when I last addressed your Lordships on this subject, and I find that 38 Burial Boards have been appointed since that date up to the close of the past year, and nine during the present year; but, as several of these Boards have not yet succeeded in obtaining land, it is impossible for me to state with accuracy the total of the population now provided with cemeteries. I have further to observe that there is every reason to believe that under the law, when amended by this Bill, churchyards will be closed in greater numbers, and with greater rapidity, than they have hitherto been. I am not now speaking of large towns; because in these, churchyards do not exist, but of rural districts in which certain churchyards still open ought to be closed—churchyards in which the bones of the dead are brought to the surface at each new interment. It is, however, estimated that out of 22,000,000 people in this country, about 14,000,000 are not subject to the grievance; and from the remaining 8,000,000 your Lordships must deduct the members of the Established Church and those non-Churchmen who do not object to the Burial Service of the Church—leaving a very small residue whom the grievance affects. This Bill will, I believe, greatly facilitate and accelerate the movement in the desired direction. In many rural districts churchyards which ought to be closed are not closed, simply because there is no one to put the law into operation; and even if there were, there would be other difficulties in the way of bringing about the desired issue. This Bill indicates the Authority which is to take the requisite steps, and facilitate the object to be gained. Last year the noble Earl brought forward these two Resolutions:—

> "That it is desirable that the law relating to the burial of the dead in England should be amended: (1), by giving facilities for the interment of deceased persons without the use of the burial service of the Church of England in churchyards in which they have a right of interment, if the relatives or friends having the charge of their funerals shall so desire; (2), by enabling the relatives or friends having charge of the funeral of any deceased person to conduct such funeral in any churchyard in which the deceased had a right of interment with such Christian and orderly religious observances as to them may seem fit."—[3, *Hansard*, ccxxix 588.]

I will take the second of these Resolutions first. I object to the proposal contained in it. I object to that proposal, because it is wholly subversive of the system which has prevailed in this country for many centuries; and it never has been recognized on the removal of disabilities. For instance, at one period no baptism of any child in this country could be registered unless that baptism was performed in the parish church. That state of things was altered by a provision which allowed the registration of baptism performed by other persons than the parson of the parish; but when that provision was made, no leave was given to any other person to go into the parish church, and there baptize a child. Again, up to 1836 no marriage was lawful in this country unless it was celebrated in the parish church. That was put an end to; but when they permitted persons who objected to be married in the parish church to have their marriages made legal, they did not permit those persons to go into the parish church and celebrate their marriages there. I object, then, to the second of the noble Earl's Resolutions. A measure introduced by my noble Friend the Lord Steward (Earl Beauchamp), and which passed through your Lordships' House some years ago, was framed on the principle of the first Resolution, and Her Majesty's Government have no objection to that Resolution now. Accordingly, a clause has been introduced in the Bill now before your Lordships which I think will carry out the principle of that Resolution in a satisfactory manner. I have not alluded to this clause before, because I preferred to rest my case on sanitary and consolidation grounds; but, inasmuch as the clause deals with the Motion brought forward by my noble Friend last year, I think it right to call special attention to it; and, as it is rather long, I will read it. The clause says—

> "Where the relative or person taking upon himself the duty of providing for the burial of a deceased person shall, by notice in writing to the minister whose duty it is to perform, when required, a religious service in the churchyard in which such deceased person is entitled by law to be buried, represent that the religious service or ceremony (if any) will be performed elsewhere, and request that the burial shall be permitted to take place in the churchyard without the performance therein of the burial service of the Church of England, the burial shall be permitted to take place therein at the ordinary time without the performance of any religious service or of any other ceremony; and this section shall in all Courts and proceedings be held to be a sufficient justification to the incumbent or minister for not performing any religious service. Notice under this section shall be given a convenient time (not being less than twenty-four hours) before the time of the burial."

That clause, I think, carries out most distinctly the proposal of the first, at all events, of the two Resolutions which my noble Friend brought forward last year. I have now endeavoured to bring before your Lordships, in as brief a manner as I could compatibly with the importance of the subject, the main provisions of the Bill which I have now to present. It is a Bill which I believe to be thoroughly practical and useful. It will establish a uniform system throughout the country, remove many of the anomalies that are now admitted to exist, and tend to promote the health and well-being of the community.

Bill to consolidate, with Amendments, the Burial Acts *presented* by The LORD PRESIDENT.

EARL GRANVILLE said, he did not think it was a very convenient course on the part of the Minister who introduced the Bill, after describing its provisions, to invite the House on the first reading of the measure to enter into a discussion of the whole question. It would certainly be an inconvenient course if it were generally followed. The noble Duke had, however, given them a very clear statement of the history of legislation on that subject. He had also, he believed, described with perfect accuracy the present state of the law; and he thought the noble Duke had made out a case for the consolidation of the various statutes bearing on that subject—indeed, he (Earl Granville) was not sure that a good case might not be made out for the consolidation of the law on almost every subject comprised in the Statute Book. The noble Duke had likewise made out a case for some change in the law upon sanitary grounds. There was no doubt that great scandal had arisen, for instance, from the state of things which existed at Northampton, and the noble Duke stated that this Bill would meet such difficulties as existed there. But when the noble Duke alluded to the debate of last year, and to the pledge which he then gave on behalf of the Government, he (Earl Granville) must say that he did not understand that to be so much a pledge in reference to consolidation or to sanitary grounds as one that the Government would take into consideration the best way of dealing with a subject of very grave importance both to those who did not belong to the Established Church and to those who did so; for, not only did the Dissenters feel that they laboured under a great grievance, but many, both of the clergy and the laity, of the Established Church concurred in that opinion, and thought that in the interests of the Church itself that grievance ought to be removed. The present Bill appeared to him, he confessed, not in the slightest degree to fulfil the conditions of the pledge given last year as he understood it. The Bill seemed to contain enactments giving facilities for closing churchyards and for forming burial boards. It proposed to constitute Burial Authorities throughout the country, who were to be the Vestries, unless the Vestries chose to confer their functions on sanitary authorities. There was to be a certain check over them through the Local Government Board; and also powers were to be given to the Secretary of State in the matter. But with regard to the existing grievance he thought that the Nonconformists had a right to complain of the measure. Their grievance was this—that having a right by common law to be buried in the churchyards of the country, that right was accompanied by conditions which in their opinion were entirely contrary to their religious freedom. In order to meet that grievance he understood the noble Duke to propose that if a requisition was made and was disregarded by the Burial Authority, in that case the Secretary of State would have the power to order the ratepayers of a parish to purchase additional land either wholly unconsecrated or partly consecrated and partly unconsecrated, and not merely to do it on sanitary grounds, but also to take religious grounds into view; and the noble Duke said that the Secretary of State would be always ready to consider the religious aspect of the matter. It was not very consoling to find that a power was thus given, should it be largely applied, to tax the ratepayers of about one-half the country for providing those additional burial grounds. He thought there was nothing less likely than that the large body of Dissenters in this country, with their feelings on that subject, would themselves voluntarily come forward and invite the Secretary of State to tax them and their fellow-citizens in order to do the particular thing which they objected to—namely, to exclude them from the churchyards of their parishes where they thought that by law and by equity they had a right to be buried. The only comfort the noble Duke gave them as to that was that he proposed to allow them, as was their right, to be admitted into the churchyards, but that they should be debarred from giving any vent whatever to their religious feelings at the most sacred moment and on the most solemn occasion in their lives. They were, when admitted there, to do that which every one of their Lordships would object in the strongest manner to doing, which was to consign the remains of those who were dearest to them to the grave without the slightest religious observance. The Bill was meant to be a settlement of the religious difficulties between Churchmen and Dissenters, but he (Earl Granville) did not anticipate the slightest good from it. The noble Duke had quoted some statistics which he seemed to think made a strong case and minimized that grievance; but on the second reading of the Bill he (Earl Granville) believed he should be able to prove the converse of what the noble Duke had said on almost every point.

THE ARCHBISHOP OF CANTERBURY: My Lords, I will not commit the solecism of criticising a measure which is not before the House; but perhaps I may be allowed, from the peculiar circumstances in which I stand, to say a few words in order to represent to your Lordships what are the desires and the feelings of one large portion of the community in reference to the Bill which the noble Duke has propounded. I have received during the Recess a very large Petition, the number of names appended to which I cannot exactly state, but the clergyman who forwarded it to me stated that the names, arranged in two columns, occupied seven yards of paper. I have received another Petition with about 400 signatures attached to it, and another with about 90. All who signed pressed upon me and upon the Bishops generally the expediency of taking or of urging on the Government to take some such step as the noble Duke's Bill seems to shadow forth. Even from the discussions which have occurred in this House on the subject, all your Lordships must see that this is a very difficult and intricate question. All questions are difficult and intricate which have to do with men's feelings, even when those feelings may not be very wisely directed; and even to deal with prejudices of which we disapprove must be a very difficult matter indeed. I am, therefore, not disposed to criticize too minutely the mode in which the Government proposes to deal with this difficult question. At any rate, the noble Duke has, by the present measure, redeemed at the earliest moment the pledge which he gave last Session—that he would endeavour, as far as he could consistently with his feelings, to meet the difficulty and the grievance which were said to exist. No doubt this measure comes before your Lordships as a sanitary measure; and in that light, perhaps, a little discredit may be cast on it; because we know, of course, that it is not a great regard for the health of the community, but rather the desire to set at rest a difficult and annoying question, that has called forth the present Bill. I shall not myself be disposed to quarrel with the Bill; because, dealing with the matter in a sanitary aspect, it proceeds to deal with more difficult matters than those which concern the public health. The question relating to the burial of the dead is one in which I think all must feel deeply interested. It is quite an old story now that our churchyards in country places as well as in towns have been desecrated: ever since the time when Shakespeare called attention to the matter, and asked whether these bones of ours "cost no more the breeding, but to play at loggats with them." "Mine ache," he says, "to think on't." During the 300 years that have passed since certainly the desecration of our churchyards in this way has not diminished. With a greatly and rapidly increasing population no means have been taken to avoid this evil; and I think it is a good thing that an attempt is now to be made to deal with the evil, both on sanitary grounds and also on the higher religious ground of promoting reverence for our places of sepulture. Most of your Lordships have travelled in Ireland, and know, I dare say, the unwise reverence with which old churchyards there are regarded, although generation after generation has made use of them and they ought long since to have been closed—many of them being reduced to a condition very unlike a place for Christian sepulture. And since I have taken charge of the diocese with which I am immediately connected, I have had complaints made to me that in the neighbourhood of some churchyards there is evidence of the desecration that takes place in country districts. Therefore, it is in itself a good measure that enables proper steps to be taken to close these churchyards. The manner in which the churchyards pollute the wells—sometimes in the midst of the villages—may perhaps in a great degree account for the frequent outbreaks of fever in so many of our country districts. Therefore I will not quarrel with any measure which proposes both to care for our health and to restore our churchyards to the reverent aspect which they ought to bear; and which also indirectly, but I trust not so ineffectually as the noble Earl supposes, attempts to deal with the religious question. If I understand the noble Duke, the principle of his Bill is this—that in every community throughout the country, and in every parish, every person who is a subject of the Queen shall have a right to a proper place of sepulture; and if in any neighbourhood it shall so happen that the ancient churchyard is not a fit place for sepulture, there shall be easy means provided for obtaining a new burial ground. I presume that it is also a part of the noble Duke's proposal that all persons who now feel aggrieved because the religious opinions they held in life may not follow them to the grave, but that over their bodies must be read a Service against which they conscientiously objected during their years of health—it is, I hope, part of the noble Duke's proposal that this grievance where it exists shall be removed. I think it right to state, as a representative of the Clergy in this House, that I am aware that in the Convocation of the Province of Canterbury the question was carefully debated whether it would not be wise and well to provide some service which would be more acceptable to our Dissenting brethren than the ordinary Burial Service of the Church of England. At the present moment the Convocation of the Provinces of Canterbury and York are engaged, under Letters Patent from the Queen, in re-considering and revising the Rubrics of the Prayer Book of the Church of England, and it is certainly—so far as the matter has gone—the wish of the Clergy that advantage should be taken of this revision to introduce some service which may be read over our Dissenting brethren without violating the scruples which they feel against the whole service of our Church as it at present exists. I will add—if I may be allowed to do so—that when this matter comes into Committee, I will take the opportunity of making some suggestions that may meet the views of the Clergy in this respect. There will then remain but one grievance. Every man, whether a member of the Church of England or not, will be fully entitled to be buried in the churchyard of his own parish, provided that churchyard still remains—the only grievance will be that he will be buried by the minister of the parish. Now, I do not think it would be wise to overlook that which some regard as a mere sentimental grievance, that a man when dead cannot have the service read over his body by the person who was his spiritual adviser during his life. But the effect of the proposal, as I understand it, is this—that in almost every parish there will soon be a place adjoining that in which members of the Church of England are buried where the few—and they are very few, I believe—who object to the presence and sound of the voice of a clergyman of the Church of England, will be able to have the full services of their own minister. We know from examinations which took place before the discussions of last year that almost all those Dissenting Bodies who have services, departing from the old Puritanical system of burying the dead without any service, have adopted portions of the service of the Church of England. It is, then, no great grievance to have this service, either entire or altered as Convocation proposes, read over them; but if any have such an objection to the presence and the voice of the clergyman of the Church of England, that they cannot bear that he should read the service over the remains of their friends, in almost every such case, so far as I can understand this Bill, there will be a place provided where they will have it all their own way. I do not say that this meets all the difficulties of the case, but it goes a long way towards it. The noble Duke may be fully entitled to be considered as having redeemed the pledge he made last year, so far as it is possible for him to do so consistently with the thousand difficulties that cluster around this question. Some such scheme as we have heard, starting from a sanitary point of view—about which I will not quarrel—

will minimise the difficulties that must surround this question, and I am one of those who think upon the whole that it is not a bad thing to accept half of a good measure if you cannot get the whole. It is not, it seems, possible, in the state of public feeling, to have such a Resolution carried as the noble Earl proposed last year. I think the feeling of the Clergy is quite as strong on the other side, and that we are quite as much entitled to consider their feelings as the feelings of others. If, therefore, we can accomplish what the Bill aims at we shall have done good work. I do not suppose that the Bill will satisfy everyone. Of course there are persons who delight in a grievance, and it will be a very serious thing for such persons to have their grievance diminished to the very smallest possible dimensions; but I am sure that there will be no disposition in this House to make political capital out of a measure so important as this, and I hope that our Dissenting brethren will not try to make political capital out of this question. It is for the interest of all that these unseemly conflicts over the graves of our departed friends should as soon as possible come to an end. We are all Christians, living together in one community, recognizing the same laws, human and divine. It may be inevitable that we should have controversies one with another; but let us choose some better battle-ground on which to fight out these controversies. Let not the bitterness be engendered which is sure to be caused by continuing controversies of this kind on so very difficult and tender a subject, and I do not despair but that when this measure has been fully considered in this House, and such Amendments introduced into it as the Government will be ready to listen to in Committee, that it will be acceptable to the Clergy and members of the Church of England generally, and also acceptable to the great majority of our sensible Dissenting brethren.

Bill read 1ª; and to be *printed* (No. 27.)

House adjourned at a quarter before Seven o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 13*th March*, 1877.

POST OFFICE—POSTMASTERS.
QUESTION.

DR. LUSH asked the Postmaster General, If the rule understood to prevail in the General Post Office, whereby all offices and country postmasterships exceeding one hundred pounds in annual value were reserved by open competition for the promotion of deserving clerks and officers in the Post Office still exists; and, if so, if he will state to the House the circumstances under which the recent appointments to the postmasterships of Andover, Blandford, and Chichester were made in apparent disregard of that rule?

LORD JOHN MANNERS, in reply, said, the rule that postmasterships worth more than £120 a-year—not £100 a-year, as supposed by the hon. Member—should be filled by means of open competition among the clerks and other officers of the Department was still in force. The postmasterships at Andover and Blandford, mentioned in the Question, did not come under that rule, their value being under £120. To the Post Office at Chichester, he had appointed an officer who was not only well qualified and strongly recommended by the district surveyor, but who for some time had acted as postmaster. It might be well to add that a memorial signed virtually by the whole town was presented in favour of the person whom he had selected.

EGYPT—ABYSSINIA.—QUESTIONS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether the raid recently made by Abyssinian troops at Massowah, was made in consequence of an Abyssinian sent by the King of Abyssinia with a letter to Her Majesty's Consul General in Egypt having been seized at Massowah and drowned; and, whether, in revenge, his escort, who had accompanied him, carried off in the raid Colonel Mitchell, an American officer attached to the Egyptian Staff?

MR. BOURKE: I have no doubt that my hon. Friend will be happy to learn that our Consul General in Egypt has reported to us by telegram that he has satisfied himself that the report alluded to is absolutely false, and that the murder of this individual never did take place. Colonel Gordon says he is quite sure if such a thing had occurred King John would have reported it either to him or the commander of one of Her Majesty's ships at Massowah; therefore, he is quite sure it did not take place.

Sir H. DRUMMOND WOLFF: Colonel Mitchell?

Mr. BOURKE: We have heard nothing about Colonel Mitchell. My hon. Friend asks whether Colonel Mitchell's capture was not in consequence of the murder of this individual? We have sent a telegram asking for further information on the whole subject, and when a reply is received I shall lay it on the Table.

Mr. EVELYN ASHLEY asked the Under Secretary of State for Foreign Affairs, Whether, in accordance with his reply on Thursday last, the Foreign Office has instructed the British Consul General at Cairo to inquire of the Khedive what became of the Abyssinian Envoy last December?

Mr. BOURKE: Yes; in accordance with the reply which I gave last Thursday, the Foreign Office have instructed Her Majesty's Consul General in Egypt to make inquiries on this subject; and he has reported that there is no doubt whatever as to the safe return of the Envoy to Abyssinia. His return has been reported by Retif Pasha at Massowah, and has also been confirmed by the French Vice Consul at Massowah.

ELEMENTARY EDUCATION (SCOTLAND) ACT—MEETINGS OF THE DEPARTMENT.—QUESTION.

Dr. CAMERON asked the Vice President of the Council, Whether he has any objection to lay before the House, a Return showing how many meetings of the Scotch Education Department occurred during the year 1876, and the names of those members of the Department who were present at each meeting?

Viscount SANDON: The hon. Member asks me how often the Scotch Education Department met in 1876. I would remind him that the Duke of Richmond and Gordon and I, as Lord President of the Council and as Vice President of the Committee of Council on Education, are members of the Scotch Education Department, and I hope I need hardly assure him that we were constantly meeting at Whitehall last year, and were frequently engaged in discussing and deciding upon matters connected with the administration of the Elementary Schools of Scotland. It has not been considered necessary, nor would it have been in accordance with usage, to summon, under ordinary circumstances, to Whitehall the other members of the Scotch Department; but other members of that Department have been consulted on details with which they were specially conversant, or when matters of general policy respecting Scotch Education have arisen. I fear I cannot give the hon. Member the statistics he desires, but I can promise him that he will in any case find two members of the Scotch Department—the Lord President and myself—at all times happy to receive him at Whitehall and to attend to any matters connected with the administration of Scotch Education which he wishes to bring before us.

PRISONS BILL—PRISON OFFICIALS.

QUESTION.

Colonel CHAPLIN asked the Secretary of State for the Home Department, How it is proposed to provide for the governors and other gaol officials whose services will cease with the disestablished prisons on the Prisons Bill becoming Law?

Mr. ASSHETON CROSS, in reply, said, the 32nd section of the Prisons Bill provided that the governors and officers of the discontinued prisons should be dealt with precisely in the same way as the officers and governors of those prisons which were discontinued under the Act of 1865—namely, they would be paid compensation out of local rates. No doubt the opportunity would be taken by a good many old officers connected with the continued prisons of resigning their posts; and, as far as possible, the officers of discontinued prisons would be absorbed in those gaols which might be continued.

ELEMENTARY EDUCATION (ENGLAND) ACT—BIRMINGHAM SCHOOL BOARD.

QUESTION.

Mr. J. G. TALBOT asked the Vice President of the Council, Whether it is true that the School Board of Birmingham have prohibited any teachers in their employment from giving religious teaching out of as well as during the school hours; and, whether any provision is made for the religious teaching of the 22,000 children on the books of the schools belonging to that School Board?

VISCOUNT SANDON: My hon. Friend asks me an important Question. I must remind him that the Education Department, under the present law, is not concerned with the religious teaching of the children; and I, therefore, have no special means of giving the information asked for. A Return, however, which was ordered by the House on the Motion of the hon. Member for Plymouth (Mr. S. Lloyd), will shortly be in the hands of hon. Members, and will, I believe, give him the information desired.

FRANCE AND GERMANY—THE FRENCH FRONTIER FORTRESSES.—QUESTION.

MR. OWEN LEWIS asked the Under Secretary of State for Foreign Affairs, If there is any truth in the statement of the "Daily Telegraph" and "Standard" of the 12th inst. that Prince Bismarck has called upon the French Government to discontinue the construction of their frontier line of defensive fortresses, and that in compliance with his demands they have been obliged to abandon all attempts at protecting their frontiers and give up their scheme for fortifying Paris?

MR. BOURKE: There is no information whatever at the Foreign Office on this subject.

POST OFFICE (TELEGRAPH DEPARTMENT)—LEITRIM.—QUESTION.

CAPTAIN O'BEIRNE asked the Postmaster General, Whether he can hold out any hopes that the telegraph system will soon be extended to several important places in the county of Leitrim which at present derive no benefit from the Telegraph Act of 1868?

LORD JOHN MANNERS: I beg to say that I shall carefully consider the subject; but I am sorry to say I can hold out no hopes of the extensions in question being carried out, for there is no prospect of the receipts meeting the expenditure.

TURKEY—FURTHER PAPERS.

QUESTION.

MR. H. B. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether, considering that the latest accounts of affairs in Bosnia and Bulgaria issued to the House are dated January 2nd and January 5th respectively, he will state how soon further Papers in reference to those provinces will be laid upon the Table?

MR. BOURKE: I stated a short time ago that it was the intention of the Secretary of State for Foreign Affairs to direct that the Papers upon this subject should be laid on the Table of the House. The Secretary of State has ordered further Papers to be prepared; they are printed, and I hope to be able to present them shortly after Easter.

MERCHANT SHIPPING ACTS—THE STEAMSHIP "PRINCE."—QUESTION.

MR. BURT asked the President of the Board of Trade, When the inquiry will be held, if it has not been already ordered, into the case of the steam ship "Prince," which foundered, with the loss of all hands, between Middlesbrough and Grangemouth in December last, and which vessel was loaded with more than 600 tons of pig iron, her gross registered tonnage being between 400 and 500 tons?

SIR CHARLES ADDERLEY, in reply, said, the *Prince* foundered off the Tyne in December in a heavy gale, and as all hands on board perished no inquiry could be instituted as to the cause of the disaster, except with reference to the loading and stowage of the cargo, which consisted of pig iron. Another Middlesbrough ship, the *Agnes Wyllie*, was lost about the same time, loaded also with pig iron. This case has just been concluded before the Wreck Commissioners, and the judgment given is that blame attached to no one. These cases, however, led the Board of Trade to inquire more generally into the system of loading and stowage of iron at Middlesbrough, and a correspondence has been going on with the shipowners of that port. The *Prince* was detained for overloading on a previous voyage in October, and made to lighten her cargo of iron to about 600 tons. There is no relation between the tonnage of a steamship and the number of tons of cargo she can carry. The one is a measure of 100 cubic feet capacity, the other of weight, and it is possible a ship of 400 or 500 gross registered tonnage, as the *Prince*, might be made to carry safely 600 tons of iron properly stowed.

PUBLIC HEALTH (METROPOLIS)—SMALL-POX HOSPITALS.—QUESTION.

LORD RICHARD GROSVENOR asked the Secretary of State for the Home Department, Whether he can give any information as to the number of cabs "setting down" patients at the small-pox hospitals within the metropolitan police districts during the last three months; and, whether it is true that a policeman is specially appointed to stand at the gate of small-pox hospitals to stop any cabs that have brought patients, and to have such cabs properly disinfected before they go out again to ply for hire?

MR. ASSHETON CROSS: I have made inquiries of the police, and find there are four small-pox hospitals within the metropolitan police district—namely, at Highgate, Hampstead, Homerton, and Stockwell. The first named is a voluntary institution, and during the past three months no patients have been seen conveyed in cabs to that hospital. At Highgate invalid carriages belonging to the different parishes are in use. At Hampstead there has been no single instance during the present epidemic of a cab being used for carrying small-pox patients. At Homerton one case has occurred; the cab was disinfected by the police, and proceedings were taken against the offender for not informing the driver of the nature of the disease. Two instances have occurred at Stockwell. Both cabs were taken to the police-station and disinfected. In one case proceedings were taken, and the result was that the offender was fined £5. A constable is not specially stationed at the gates of the hospitals, but the porters have all strict orders to take down the number of any cab which appears with a patient in it, in order that the driver, and, if necessary, the hirer, may be brought to justice.

ARMY ESTIMATES—PLUMSTEAD COMMON.—QUESTION.

MR. BOORD asked the Secretary of State for War, Whether, in view of the assurance he gave at the end of last Session, that the House should have an opportunity of considering the arrangements proposed with regard to the continuation, or otherwise, of the Plumstead Common Lease, he will arrange that Vote 10 of the Army Estimates shall be taken at a sufficiently early date for that purpose?

MR. GATHORNE HARDY, in reply, said, he could not say when the Army Estimates would come on again, but he was anxious that they should be taken as early as possible, when the hon. Gentleman would have the opportunity he desired.

THE SUEZ CANAL—PILOTAGE. QUESTION.

MR. D. JENKINS asked Mr. Chancellor of the Exchequer, If he will call the attention of the Directors representing Her Majesty's Government at the Board of the Suez Canal Company to the excessive rate charged for pilotage through the Canal, amounting in many cases to more than one franc per ton on the ship's registered tonnage, less than one-fifth of which is paid to the pilots employed by the Company; and, if Her Majesty's Government will use their influence to relieve British shipping from this charge?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he found that under the 6th clause of the arrangements regulating the charges to be made vessels were not charged according to their tonnage, but according to their draught of water. If a vessel happened to be of small tonnage, but of a large draught of water she had to pay a heavy sum per ton; whereas if she was of large tonnage and of comparatively small draught of water, she was charged much less. The suggestion of the hon. Gentleman that in many cases vessels were charged for pilotage more than a franc per ton on their registered tonnage, was hardly borne out by the facts of the case, the sum charged being 70 centimes per ton. With regard to the application of the pilotage rates it expressly included remuneration for the maintenance of sidings, telegraphy, watchmen, signals, and other means established by the Company to ensure the safety and good navigation of the vessels that passed through the Canal. Under these circumstances, he thought it was hardly a case which justified Her Majesty's Government using their influence to relieve British shipping from this charge.

GERMAN SUBJECTS IN ENGLAND—THE GERMAN ARMY.—QUESTION.

CAPTAIN NOLAN asked the Secretary of State for the Home Department, If those subjects of the Emperor of Germany residing in this country who have served a portion only of their military time in the German Army, and who are still liable to be recalled to their regiments, are treated differently to other foreign residents by the Laws or the Government of this country; and, if he can give any information as to the probable number of this class from any papers accessible to the Home Office; and, if not, can such information be obtained by the Government through our embassy at Berlin?

MR. ASSHETON CROSS, in reply, said, he had no information to give the hon. and gallant Gentleman on the subject. Any of these persons were at liberty to come here when they liked, to stay as long as they liked, and to go away when they liked. They enjoyed full protection of the law while they were here, and he had no means of knowing whether they were bound to serve the Emperor of Germany or not on their return. His hon. Friend the Under Secretary of State for Foreign Affairs would, however, he had no doubt, make any inquiries which the hon. and gallant Gentleman might desire on the point.

THE TICHBORNE CASE—THE QUEEN *v.* CASTRO—WITNESSES.

QUESTION.

MR. WHALLEY asked the Secretary of State for the Home Department, with reference to his statement that evidence on behalf of a convict submitted for the opinion of the Judges, if it be such as might have been produced at the trial, is to be understood as a rule adopted by the right honourable Gentleman in all cases of appeal to him for inquiry or mitigation of penalties, or whether it is a rule adopted specially as to the Tichborne claimant; and, whether he considers such rule applicable to the evidence of Charles Orton, a witness retained on the part of the prosecution, but not called at the trial?

MR. ASSHETON CROSS: If the hon. Gentleman will excuse me—I would just remark that I have been some time engaged in endeavouring to find out which is the nominative case and which is the verb in the Question. But passing by that—there is no rule of any sort or kind such as that the Question suggests. All the evidence in each case is brought before the Secretary of State, who forms his judgment upon it according to its merit. There being no such rule, it cannot apply to the second part of the Question of the hon. Gentleman.

TURKEY—PROGRESS OF NEGOTIATIONS.—QUESTION.

THE MARQUESS OF HARTINGTON: I wish to ask the right hon. Gentleman the Chancellor of the Exchequer a Question of which I have given him private Notice. It is, Whether he is able to give the House any further information respecting the progress of the negotiations with Russia and the other European Powers with reference to the affairs of Turkey? If the right hon. Gentleman is not prepared to answer the Question now I shall be happy to defer it till Thursday.

THE CHANCELLOR OF THE EXCHEQUER: I am afraid all I can say at the present time is that a communication has been addressed to Her Majesty's Government by the Government of Russia, and that it is now under the serious consideration of Her Majesty's Government. I cannot say more.

CRIMINAL LAW—COSTS IN POACHING CASES—LORD CHIEF JUSTICE COLERIDGE.—OBSERVATIONS.

SIR CHARLES LEGARD: I wish, with the kind indulgence of the House, to say a few words with regard to the Notice of Motion which I gave the other day after the Answer of the right hon. Gentleman the Home Secretary in reference to Lord Coleridge. It will be in the recollection of the House that the learned Judge had laid down a doctrine at the Durham Assizes—["Order!"] I will not occupy the attention of the House more than a few minutes. It consequently seemed to me, and to many other hon. Members, that this doctrine required some explanation—["Order!"]

I wish to make a personal explanation. I can only express my regret that Lord Coleridge should have considered me in any way discourteous; but I was not aware that it was customary to give private Notice of a Question to any one not being a Member of this House, the more especially as I gave public Notice of it, and it appeared in every London morning paper. I still more regret that the learned Judge did not receive the inquiry which I ventured to make in the same spirit of fairness and impartiality in which it was put. In his reply to my right hon. Friend the Home Secretary, Lord Coleridge adhered to the law which he had laid down, and the observations which he had made, stating that he was not accountable for his acts to any Member of the House of Commons. When that answer was given I felt that, although I was a very young and humble Member of this House, I should be guilty of neglecting a grave responsibility if I refrained from giving Notice that I should call attention to the doctrine laid down by the learned Judge and the language of his reply to this House. But, Sir, I now find that the only Motion I could make would be one of the most stringent character, and one which would be, in the estimation of those whose judgment I value most highly, and whose opinions I am bound to respect, rather stronger than the merits of the case demand. I have to thank the House for allowing me to make this explanation, and it only remains for me now to say that, under the circumstances, I do not intend to proceed with my Motion.

THE CATTLE PLAGUE.—QUESTIONS.

In reply to Colonel KINGSCOTE,

VISCOUNT SANDON said: We have no further account respecting the origin of the outbreak of cattle plague at Beelsby, near Great Grimsby, in Lincolnshire. We are expecting shortly to hear from the Inspector of the Privy Council, who is on the spot, and I will not fail to communicate the result to my hon. and gallant Friend. I regret very much to say that yesterday evening, after I answered the Question about the Lincolnshire outbreak, Mr. Alexander, a dairyman at Stepney, reported cattle plague to have appeared in his dairy, consisting of 130 cows. The Inspector having found the report to be correct, the affected animals, five in number, were at once destroyed. The remaining 125 are being slaughtered. This outbreak is the more to be deplored from the fact that Mr. Alexander is reported to have taken every possible precaution. He had kept his premises locked, and had made his men use disinfectants in all their communications with the animals.

MR. W. E. FORSTER inquired whether Stepney was within the metropolitan district round which a cordon had been drawn?

VISCOUNT SANDON replied that it was within the limit.

The "Questions" having been gone through—

THE TICHBORNE CASE— THE QUEEN *v.* CASTRO—WITNESSES.

MR. WHALLEY: Sir, the right hon. Gentleman (Mr. Assheton Cross), in reply to my Question, said, very justly, that my Question as printed on the Paper is not grammatical or intelligible. That, Sir, is owing to the omission of certain words. I will, if necessary, conclude with a Motion; but, at any rate, I trust I may be permitted to make the Question intelligible, so that I may obtain from the right hon. Gentleman an answer somewhat more intelligible than that which I have received. I would venture to appeal to your indulgence, Sir, to make a short statement——

MR. SPEAKER: The Question that has been put by the hon. Member being, according to his own statement, not intelligible, it is open to him now to put it in an intelligible form to the right hon. Gentleman.

MR. WHALLEY: The non-intelligibility of the Question arises from the omission in the print of certain words which were—or ought to have been—in the manuscript. The Question, Sir, is this—whether the Answer which the right hon. Gentleman gave to me two days since as to the practice of the Home Office in the discharge of its duty in criminal cases, is a general rule adopted by him in all cases, or whether it is a rule adopted by him in this particular case; that rule being distinctly stated by him in contradiction of what was said by him a year ago, to the effect that when evidence is brought before the Home Office on behalf of any person suffering from a conviction, it is not considered that he is justified in submitting it to the Judges by whom the convict or prisoner was tried, if it be such evidence as the prisoner could have produced on his trial. The hon. Member was proceeding to address some remarks to the House, when—

MR. SPEAKER said: I must request the hon. Member to put his Question according to the altered phraseology.

MR. WHALLEY: It is of some importance to know whether that is the rule of the Home Office. I would further ask whether the right hon. Gentleman considers that the evidence of a man named Charles Orton, which has been laid before him on affidavit, together with the evidence of other members of that family—whether, under these circumstances—here, under the very droppings of this sanctuary of justice—this Charles Orton—

MR. SPEAKER intimated that the hon. Member in asking a Question could not enter into a debate upon it.

MR. WHALLEY: I wish to know the reason that, although evidence has now been submitted to the right hon. Gentleman, and is evidence that the convict —[" Order, order! "] — might have been—[" Order, order! "] Really, I do not know how to make myself intelligible. I think, if I may be permitted to get to the end of my statement, that it will be clear what I am about to state —that although under the rule as laid down by the right hon. Gentleman the convict might have called this man, yet there was a very particular reason for not calling him—namely, that he was retained by the prosecution and was paid by the prosecution. [" Order, order! "]

MR. SPEAKER: I have repeatedly called upon the hon. Member to put his Question, and he has declined to do so. The Business of this House cannot be interrupted, and if any other hon. Member has any Question to ask, I call upon him to put it.

INTOXICATING LIQUORS RETAIL.

RESOLUTION.

MR. CHAMBERLAIN, in rising to move—

> "That it is desirable to empower the Town Councils of Boroughs under the Municipal Corporations Acts to acquire compulsorily, on payment of fair compensation, the existing interests in the Retail Sale of Intoxicating Drinks within their respective districts; and thereafter, if they see fit, to carry on the trade for the convenience of the inhabitants, but so that no individual shall have any interest in nor derive any profit from the sale,"

said, it seemed to him to be an established fact that the English people were becoming impatient at the continued existence of intemperance, which was the plague-spot in our civilization. The popular feeling was naturally represented in that House, and found its fitting expression in the number of Bills on the subject that had been introduced this Session. In these circumstances, it would not be necessary for him to trouble the House with any statistics to show the magnitude of the evil he sought to remedy. The only question was, what remedy, if any, could be applied? Looking to the comparative failure of past legislation, he did not wonder that some persons had arrived at the conclusion that we could not expect any legislation to alter the social habits of the people, and that we must depend on moral suasion for the accomplishment of the object we all desired to attain. This was the view taken by the licensed vituallers themselves, as appeared from a resolution passed at one of their recent conferences, though their preference for moral suasion was coincident with the fact that while the moral suasion had been practised for more than 30 years it had never reduced the returns nor diminished the gains of a single person engaged in the trade. He feared that the evidence would not warrant us in believing that any better results would follow the progress of education than had followed the exercise of moral suasion. The Kingdom of Sweden was the most educated country in Europe, and yet till very recently Sweden enjoyed an unfortunate pre-eminence as the most drunken country in the world. And if there were now any change in her condition it was distinctly due to special legislation and not to any alteration in the character or amount of popular instruction. In this country, too, he found that the total number of children in average attendance at school had increased in the period over which the statistical abstract extended from 773,000 to 1,863,000. That was an increase of 140 per cent. During the same period the population had only increased by 20 per cent, while drunkenness had increased from 82,000 cases to 203,000 cases—or 147 per cent. From these figures he concluded that we had as yet no evidence to show that there were any causes at work which tended to the eradication of this great social vice, while we had many grounds for believing that it was constantly and steadily on the increase. The amount of spirits retained for consumption in this country had increased within a period of 15 years from 24,500,000 gallons to 42,000,000, or 75 per cent; of wine from 10,500,000 gallons to 17,250,000, or 65 per cent; and malt from 46,000,000 bushels to 63,000,000, being an increase of 37½ per cent. Thus drinking had augmented out of all proportion to the natural increase in the population, and it was no strained conclusion to suppose that drunkenness had also increased in similar proportions. One fact was significant—in 1861 the number of persons upon whom a coroner's inquest returned a verdict of "Death from excessive drinking" was 199, but that number steadily increased, till in 1875 it amounted to 516, or 160 per cent. He was justified, therefore, in saying that drunkenness had increased, was increasing, and ought to be diminished. So far, he hoped, the House was with him. His next position was that we ought not to assume too lightly that legislation could do nothing to affect the social habits of the people. In a past generation our fiscal legislation led to the substitution of the heavy wines of Spain and Portugal for the clarets and Burgundies which were till then drunk by the middle and upper classes; while the passing of the Beershop Act increased enormously the facilities for drinking, and was followed by a great increase of drunkenness among the population. In the 10 years following 1830 the consumption of malt used in brewing increased by 40 per cent, and during the same period the general totals of crime increased by nearly 50 per cent. Under such circumstances it became the duty of all of us to make some contribution, however humble, towards the solution of this problem, and the country would not, he thought, be satisfied that Parliament should rest with folded arms in the presence of this great evil, waiting for a change which was very slow in coming, and which many persons believed would never come at all unless assisted by legislation. There were many Bills before the House, and among temperance reformers, at least, there was a general consensus of opinion as to the direction towards which legislation should tend—namely, either by adding to the powers of local authorities for the control of the traffic, or by some general provisions for restricting and further limiting the facilities for obtaining drink. Now he recommended his Resolution to the friends of these various Bills, because it would secure with a promptitude and efficiency what no other proposal was likely to secure the object which the promoters of all these measures had in view. He did not claim any originality for his proposals. They had been discussed by Mr. Garth Marshall, of Leeds, and by Mr. Carnegie, of Scotland; they had been introduced by Earl Grey in "another place;" and the hon. Baronet (Sir Robert Anstruther) had inserted similar provisions in a Bill which applied to Scotland. Two important principles, however, were contained in his Resolution which were not to be found in any of these Bills. In the first place, he made it an essential condition of his scheme that fair compensation should be awarded to existing interests. In his opinion, vested interests had now grown up which it would not be just to ignore. Now doubt this property was exceptional in its character, and was subject to all the incidents of legislation *ejusdem generis* as that by which it was at present affected; among which were the liability that the trade might be thrown absolutely open; but these incidents did not, he thought, destroy the claim of some compensation in this case. Secondly, his plan involved the exclusion of anything like private interest from the further conduct of this traffic. To this feature of the plan he attached much importance. Two hundred thousand licensed victuallers in this country were legitimately engaged in more or less successfully trying to increase their business. The result was seen in gin palaces blazing with gas, and decorated with a splendour which compared inversely with the squalor and misery of those who frequented those places; and when it was also seen that the old respectable publichouses were being transformed into spirit vaults and saloons, everybody must feel that this expenditure must have sufficient motive and that excessive drinking returned a sufficient dividend upon the investment thus made. Again, excessive competition almost forced the trade against their will to wink at abuses; while, on the other hand, the managers of a corporation acting on behalf of a community, with salaries independent of the amount of the sales of intoxicating drink, watched carefully by the ratepayers, and knowing that any proof of abuse would immediately cause the forfeiture of their appointments, would set their faces steadily against excess. It was said that the existing law contained sufficient provisions for the regulation of the traffic and the prevention of excess. These provisions, however, absolutely broke down in practice, and so it happened that in Birmingham, Liverpool, and other large towns, while there was an enormous number of persons convicted and punished for drunkenness, hardly any of the owners of public-houses were ever brought up for supplying them with drink. The House would see the reason why. The only means by which the owners could be reached would be by the employment of persons in plain clothes, a thing which would be repugnant to English feeling and which would lead in practice to grave objections. The only way, therefore, to secure the observance of existing regulations or of any which in future might be devised would be by making the interests of those who made the regulations and those who carried on the trade identical. Another most important result of the scheme would be that it would lead with absolute certainty to an immense reduction in the number of houses in which drink was sold. That would follow not only from moral and social, but from commercial and economic considerations. When we heard persons speaking of what they called free trade in liquor he was sometimes led to wonder whether they could be aware of the extent to which this supposed advantage already existed in all our large towns. Licences had been granted in times past with such freedom that they were already almost everywhere throughout the country in excess of the requirements of the people. In Birmingham there was 1 public-house to every 40 houses, and in considerable tracts of the working-class districts of the town these houses were placed so closely that the average distance between two of them was not quite 200 feet, which was probably less than the length of the House in which he was now speaking. In Liverpool a more astounding state of things prevailed. He had received a letter from a correspondent in that town, who informed him that there was a thoroughfare which extended from St. George's Hall to Kirkdale, a mile and a-quarter in length, which contained 578 premises and shops, and of these 103, or more than one in six, were drink shops. To these shops there were 218 separate entrances—218 separate traps already baited for the unwary in the course of 20 minutes' walk. That was drinking made easy by the free trade system—a *facilis descensus Averni*—and where the way of destruction was so broad no one could be surprised that there were many who walked therein. Nor must the state of Birmingham and Liverpool be thought exceptional, for out of 70 large towns more than 50 had a larger proportion of licences to population, Southampton having 50 per cent more than Birmingham, and Bristol 50 per cent more than Liverpool. Half of these houses would be sufficient for every purpose, and he was confirmed in that view by finding that the provision made for the supply of bread, drapery, groceries, and butchers' meat was only one-third or one-fourth of the provision for the supply of drink. He felt certain that if the community were entrusted with the control of these drink shops, one-half of them would as a matter of course be immediately abandoned, and the remainder placed under strict control. And what would be the effect of this change upon drunkenness? Unfortunately, we had no experience to which we could appeal in this country. Comparisons between different towns would be entirely futile, because the circumstances of the towns varied so much. There was so much difference in the rate of wages, the nature of the trades, and in climate, which was a most important element, that anything like a useful contrast would be impossible. Even in Gothenburg the calculations were complicated by a great number of considerations, because during the period over which the system had extended there had been a great increase in the rate of wages, and there had been passed very stringent legislation affecting the country districts, which increased the amount of drunkenness in the town by the number of persons who came into Gothenburg on market-days, and made amends for their enforced abstinence outside by their indulgence within. But if the House would make allowance for these things, the experience of Gothenburg was very remarkable and suggestive. During the first few years after the adoption of the system the proportion of drunkards to the population was, according to the police statistics, reduced 50 per cent; and even now, after a time of unexampled prosperity, it was still 20 per cent less than in 1864. Taking a longer period, embracing times of adversity and prosperity, we found that the drunkenness during the 12 years, ending in 1875, averaged 50 per cent less than during the 12 preceding years, while during the same period in other towns where the system had not been in operation drunkenness had considerably increased. In Stockholm there had been an increase of 5 per cent, in Christiania, in Norway, an increase of more than 50 per cent. He had seen it stated in the circular to which he had already referred that the experiment at Gothenburg was not really successful, because, as shown by the statistics, there was more drunkenness in Gothenburg than in any English town. But if that were true, it did not in the least touch the fact that in Gothenburg drunkenness had very much decreased. We had great reason to doubt, however, that Gothenburg was more drunken than any English town. If he might trust his own experience and the evidence of his senses when he visited Gothenburg, the contrast would not be favourable to his own borough, although police statistics appeared to tend in that direction. He had come to the conclusion that for purposes of comparison police statistics were no guide at all. Last Saturday week, for instance, the total number of persons arrested for drunkenness in Birmingham and brought before the magistrates was 29. That was the total number debited to the town by the police statistics. But during three hours of the same Saturday night 35 public-houses selected in different parts of the town were watched by persons appointed for the purpose, and these persons reported that 9,351 males and 5,006 females came out of these 35 houses, of which number 662 males and 176 females, or a total of 838 persons, were drunk. Making every allowance for unconscious exaggeration and unintentional error, there still remained such a margin between these figures and the police statistics as would lead the House to regard the latter with considerable doubt. But, after all, the strongest evidence in favour of the Gothenburg system was its almost universal adoption in Sweden. He had seen it stated that the experiment had been adopted only in a single town under circumstances very different from what we had to deal with. On the contrary, in the 10 years following the commencement of the experiment, every town in Sweden with a population of above 5,000, except one, followed the example of Gothenburg, and recently Stockholm, the capital, a city of 140,000 inhabitants, had, by a resolution of its Town Council, with the assent of the Government, determined to put the plan in force. Under these circumstances, it appeared to him that the House would certainly be justified in assuming on the very best local evidence that the Swedes, at all events, were convinced that very great and important results had followed from the adoption of the system. The adoption of the system in England would be attended with another advantage which he thought, to a great extent, would be confined to this country. The price of spirits in Sweden was so low that there was no temptation to adulteration, but in England the liquor sold in the small beer-houses was mixed with deleterious ingredients intended to add to its intoxicating powers and promote thirst; and he was compelled to come to the conclusion that very much drunkenness was caused, not by the quantity, but by the bad quality of the drink consumed. But a municipality dealing with this matter would provide, at all events, a pure and, so to speak, wholesome beverage. In the great city of Hamburg, having many of the characteristics of our large towns, with a population of more than 250,000 and a large working-class element, drunkenness, which had been very prevalent, was greatly diminished by the adoption of a light German lager beer for the coarse spirits of the country and the Hamburg port and sherry, which they prudently reserved for their foreign customers. English municipalities would have a great chance of securing gradually and by experience the substitution of some light beer similar to that consumed in Germany, instead of the noxious stuff which now maddened and destroyed a large part of our population. The managers of the Corporations would be required, as a condition of their appointment, to revert to the old system and become *bonâ fide* victuallers, supplying food to the people as well as intoxicating drinks; and their houses would become more and more respectable working-men's clubs where there would be no temptation to drink for the benefit of the house or to indulge in excessive consumption. But it was said this system, whatever its merits as it stood, would inevitably lead to something else which would be inexpedient and undesirable; for instance, to corporate interference with other strictly commercial undertakings. But other trades were free in every sense, and were therefore properly left to individual enterprise; while the trade in drink, rightly or wrongly, had been created by the Legislature a practical monopoly; and it was not only right, but expedient, that the benefit of that monopoly should be secured without its evils by transferring the trade to the representatives of the community. In that case it would become not a monopoly, but co-operation for the benefit of all. In his opinion the monopoly should be handed over to the community, who should eliminate those personal interests which now stood in the way of the efficient control of the trade. It was then said that the cost of the scheme would be so excessive that no municipality would be justified in availing themselves of it. At all events, that objection was premature in the present preliminary stage—everything depended on the value to be put on the property; and until the House settled the principle on which transfers should be made, it would be impossible to form any calculation as to whether it would be safe to indulge in the scheme. He should hope that the principle accepted by the House would be that compensation should be based upon the fair market value, not upon any excessive value of the property. They might fairly proceed on the precedent of the Artizans' Dwellings Act of 1875, and in that case the Corporations might be expected to take advantage of the facilities afforded. Under that Act the Corporation of Birmingham was now engaged in acquiring no less than 120 public-houses, and what was wanted was that facilities should be extended to that and other towns to take over all the houses engaged in the same traffic. Considering that for one case of crime or pauperism and even of disease distinctly traceable to unhealthy dwellings, there were many such cases due to the way in which the drink traffic was now carried on, there would be no lack of motive for such an extension of powers as was suggested. If these facilities were afforded, he felt confident not only that the Corporations would undertake this duty and responsibility without serious loss, but also with the hope that respectable ratepayers would be relieved of a great part of the burden which the dissolute and drunken portion of the community had thrown upon them. But he now came to an argument which he was more inclined to deplore and even to resent, because it had been accepted by hon. Gentlemen on that side of the House. It was an argument which struck at the very root of Liberalism and of all local self-government. It was said that the patronage which such a scheme would involve could not be safely entrusted to the representatives of the people in our Municipal Corporations, and would lead to a tremendous amount of jobbery and corruption. This argument was unsupported by theory and condemned by facts. If true, it amounted to this—that the people were not to be trusted to manage their own affairs, and that confidence could not safely be placed in the people themselves. The Municipal Corporations already took charge of gas and water works, markets, roads, and sewage for the benefit of the public. The income from all sources of the Birmingham Corporation was £1,000,000, and its contracts for coal alone amounted to £250,000 a-year. It was continually in the market for buildings, machinery, clothing, and stores of all kinds; and the same might be said of Manchester, Liverpool, Leeds, Sheffield, and other large towns. Yet, since the passing of the Municipal Act in 1836 there was not a single case in which a Corporation had been false to the trust reposed in them; there had not been a single case of corporate jobbery, as distinct from some petty individual cases of malversation, which could be charged against these municipal authorities. Of what other national institution was it possible to say as much? Could more be said of the administration of the Departments of the State—the Telegraphs, the Post Office, the Army, and the Navy? Could as much be said of the administration of the joint-stock enterprises which sometimes excited the admiration of hon. Members? Were not the records of our Law Courts filled with scandalous reports of mismanagement, jobbery, and corruption on the part of limited liability companies? Yet during the same period there was not a single instance of similar malpractice proved against the unselfish, unpaid, if humble workers for the public good in the neighbourhoods in which they lived who now found themselves subject to so much unmerited suspicion and unfounded mistrust. He invited the House to place confidence in municipal authorities, and to believe that they would rise to the magnitude of the functions with which they might be entrusted. He was convinced that whatever were their defects they would be removed by increasing their responsibilities and by cumulating their duties, and making it the ambition of every good and earnest man to do some good in the world by taking his share in the management of these institutions. He had always regarded as one of the worst features of the legislation of 1870, that the education of the people was entrusted not to Town Councils, but to another co-ordinate local authority, and he was convinced that the result would be the deterioration of both. In the meantime, municipal work lost what it might have gained in breadth of character and elevation of aim by the co-operation of men of culture and ability, who would have been attracted by educational responsibility. He ventured to hope that no such mistake would be made in any future regulation of the liquor traffic, for he was certain that the more important were the issues that were submitted to local Parliaments, the more effective would be their administration, and the greater would be the ability and the higher the character of the men who would take part in it. If his proposal should at any future time find favour with the House and be embodied in a Bill, he did not suppose many boroughs would at first take advantage of the facilities it would afford them, and he did not suggest that this new experiment should be forced on the English people. He would except the Metropolis, which had not the municipal organization necessary for dealing with a subject of this magnitude. He would leave Scotland to those temperance reformers who were willing to secure sobriety only on the exact lines they themselves laid down; and he would at first legislate only in England and Wales; and then only for those municipalities which chose to take advantage of the scheme. There would remain one or two boroughs which would attempt this great experiment, and the very sense of the responsibility which led them to undertake such a duty would be the best guarantee that they would carry out the experiment in a spirit worthy of its object. He appealed to the Home Secretary to show in this, as in other cases, his appreciation of enabling and permissive legislation. In Birmingham the Town Council, by a majority of 46 to 10, and the Board of Guardians unanimously, had passed resolutions in favour of this proposal. Do not let the House suppose, as had been suggested, that this was a Party question in Birmingham. In Birmingham, as in this House and throughout the country, the general well-being of the nation was altogether superior to Party considerations, and a meeting of the Birmingham clergy, who, unfortunately, were mostly members of the Conservative Party, carried, with one dissentient, a resolution approving the principle of this scheme. It was submitted to the Wesleyan ministers with a similar result, and he had to-day presented a Petition in its favour from the Birmingham branch of the United Kingdom Alliance—a fact which he commended to the notice of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson). Of course, if an experiment was made and this scheme succeeded it would rapidly spread throughout the country, as it had spread throughout Sweden, and then we might hope we had taken a practical step towards solving this intricate and difficult problem, which, as Mr. Cobden said, lies at the bottom of all political and social reform. Success would at least exclude from our political life the baleful interest of a gigantic vested interest, whose tyranny and whose insolence must be as repugnant to those who could profit by it as it was to those who were suffering from its opposition. An hon. Member suggested that the success of this proposal would also get rid of the United Kingdom Alliance, and he confessed he should not be sorry to set free the good, earnest, and able men who comprised that organization for other philanthropic work. At any rate, success would do much for the welfare of the country and for the happiness of its teeming population, and the result which was staked upon the issue was important enough, he hoped, to justify his intrusion upon the attention of the House, and to excuse the demand he had made upon its indulgence. The hon. Member concluded by moving his Resolution.

SIR JOHN KENNAWAY, in seconding the Resolution, said, he had been compelled to come forward on this occasion by a strong desire to lift this question out of the arena of Party politics, and he rejoiced in this matter to co-operate with the hon. Gentleman opposite, whose political principles on most points were as far from his own as the poles asunder. He came forward in the interest of the public and of morality. The question was one which must be dealt with, and it could not long remain where it was. It was necessary in the interests of public health, public morals, and public order that it should soon be dealt with. The supporters of the Permissive Bill would do well to accept the verdict that was so often expressed by the House, and, withdrawing their own measure, support this proposal. Legislation on the subject of the liquor traffic had not hitherto met with success, and the best thing the House could do would be to consider how the evil could be remedied. The Permissive Bill had been rejected again and again by large and increasing majorities, because it would suppress the traffic altogether, and also because it did not recognize the principle of compensation; but those who voted against it were not justified in concluding that that was all they could do. The introduction of beerhouse and of light wines and grocers' licences had not diminished intemperance. The Licensing Bill of the late Government was not a success, and he did not think the present Home Secretary would in the future view his amendment of the Act as among the first achievements of his political career. To provide facilities for the legitimate traffic, and at the same time to recognize the vested interests, would enable them to minimise the temptation which had ruined so many. The hon. Gentleman had successfully shown that his system diminished drunkenness, and its extensive adoption in Sweden ought to impress them in its favour. He expressed an opinion that corporations might very well be entrusted to carry out the system. The Legislature had recently shown a disposition to throw responsibilities of equal weight upon local authorities. Corporations were entrusted with the management of water and gasworks, and the Imperial Government itself had gone in the same direction in acquiring the management of the telegraphs. The powers recently conferred on local authorities had been well exercised. As to the cry that they would have bodies elected for the purpose of giving cheap beer, he thought they had evidence enough of the growing feeling of the people upon the subject of the regulation of the liquor traffic to trust them to refuse to sanction any such proposition. A tender view was also likely to be taken of the proposal by the trade, who had proved themselves no mean opponents to other measures. The trade deserved every consideration, and he thought it would be well if they noticed that by this proposal compensation was for the first time offered to them. They had joined in deploring the evils of the present system, and had always expressed themselves ready and willing to co-operate in any way with any reasonable scheme by which their interests were duly regarded. Under these circumstances, he hoped the House would give this measure its calm consideration, and not dismiss it at once as impracticable. The proposal was not one of visionary philanthropy, and it emanated from a town which had already distinguished itself in carrying out measures of public utility. The proposal was, no doubt, a startling one, but it came well from the town of Birmingham, which had carried out the Artizans Dwellings Act with so much spirit, and whose authorities now professed themselves willing to grapple with the great evil of drunkenness.

Motion made, and Question proposed,

"That it is desirable to empower the Town Councils of Boroughs under the Municipal Corporations Acts to acquire compulsorily, on payment of fair compensation, the existing interests in the Retail Sale of Intoxicating Drinks within their respective districts; and thereafter, if they see fit, to carry on the trade for the convenience of the inhabitants, but so that no individual shall have any interest in nor derive any profit from the sale."—(*Mr. Chamberlain.*)

SIR HENRY SELWIN-IBBETSON said, in rising to say a few words upon this question, if the House would allow him, he must, before addressing himself to the question, say how much the House was indebted to the hon. Member for Birmingham (Mr. Chamberlain) for the able way in which he had introduced the question, and the array of facts he had brought forward in its support—a speech not only able but temperate in the manner in which it had been argued. He would venture to say that he rejoiced to think that this subject was one clearly outside the history of Party feeling. None would believe, he hoped, from the interest that he had taken on the subject that he was influenced by any such feeling, and he was convinced that every one of them in that House had but one earnest idea before him constantly, and that was to meet what was undoubtedly one of the great evils of our time, and by any reasonable means to reduce the drunkenness, which was to a large extent the cause of crime. The question really before the House was whether such a reduction of crime and drunkenness was likely to follow as the result of the scheme submitted to it. That scheme took its origin, as the hon. Member had told them, from a system which had for some time prevailed in the town of Gothenburg, in Sweden. They had known in that House for some time the alleged working of the system, and the hon. Member had told them that if the system were applied to England, or to part of it, he believed that a similar advantage would result in this country. Now, he ventured to think that although the hon. Member had quoted figures to show them the reduction in the number of cases of drunkenness in Gothenburg, he hardly thought they justified the unqualified praise that had been given to the system. The system had, he believed, been at work for 12 years in Gothenburg; and he was aware that during the first few years, from its introduction in 1865, it had really produced a great reduction in the number of convictions for drunkenness. The number of convictions that had taken place in Gothenburg in 1865 was 2,161, and that number was reduced in the year 1868 to 1,320. What had happened since? Had that first reduction been maintained, and had the same result continued? Nothing of the sort. In the years between 1869 and 1872 these convictions for drunkenness had increased by 881, and in the year 1874—the last year to which they had any statistics—the convictions had risen to 2,234, a number actually larger than existed before the system was introduced. The convictions, as the hon. Member had shown, were, according to the number of population, as 1 in 25, notwithstanding which he sought to introduce the system into England, although in this country the number of convictions was relatively smaller in the great majority of the large towns. He had in his hand a number of statistics which had been submitted by the hon. Member himself to the country, which showed that in 71 towns in England, each of which had a larger population than Gothenburg, the convictions for drunkenness were, in almost all cases, fewer. Out of these 71 towns there were only three which were remarkable for being below the figures put before the House as the proportion in Gothenburg. These three were Tynemouth, South Shields, and Liverpool, where the average number was as 1 in 20 to the inhabitants. In seven other towns it was 1 in 30, and in the remaining 61 others there was a considerably better condition of things than in Gothenburg. However, he might say that he did not wish to rely upon these statistics as being infallible, for he believed it possible by figures to prove that drunkenness had really no relation to the number of beer-houses in a district; and that, in his opinion, was another argument which went to show that they could hardly rest their case upon any statistics. Instead of having endeavoured to prove that, he should have liked him to show that drunkenness was not caused by the large number of public-houses to which reference had been made. He ventured to think that the increase in drunkenness might be attributed very fairly to two other causes. Within a few years they had had in England a very large increase of the wages of the population, and alongside of that a diminution in the hours of labour and a consequent increase in the hours of leisure. He thought that some, if not much, of the increased drunkenness was caused rather by the increasing hours of leisure accompanying the larger means suddenly acquired than to the fact of the numerous public-houses in any locality. But when it came to a question of adopting the system which had been adopted—whether with success or not he would not say — at Gothenburg, there were practical difficulties of a very serious kind which suggested themselves. In Gothenburg the inhabitants had not proceeded in the way which the hon. Member proposed with regard to this country. The system was not introduced by the Town Council, as was wished here, but by the action of a private Company, which had bought up the public-houses as a private commercial transaction and speculation, at first in a very small way — not a wholesale, but partial purchase. The Company had given £10,000 for the purchase of 40 public-houses, subsequently purchasing the other 21. The price paid for these houses, too, was very small in comparison with what would have to be paid in this country, or even in such a town as Birmingham. They would find it a very difficult thing to purchase all the public-houses in Birmingham, where they stood in the proportion of 1 to 40 of the total number of houses. Did the hon. Member suppose for a moment that it would be an easy matter to purchase the whole of these? At first, perhaps, the enthusiasm of the people might enable the Corporation to do something; but when they came to pay the compensation which the hon. Member had acknowledged must be given, the burdens that would be thrown upon the rates was almost certain to prove a drawback to the scheme, which would soon be realized by the people themselves. If, in order not to place the whole of the amount that would be entailed by such a scheme as this, it was proposed that only a certain portion of the houses were to be taken by the Corporation, that did not do away with the difficulty. Suppose the town not to be prepared for the purchase of the whole of the houses, which would entail a rate of at least 4*s.* in the £1 for a period of 20 years, and they took part of the number, he doubted whether there was any likelihood of the attempt becoming palatable to the people of this country. For if the system were so introduced, they would have the corporations competing with the private purchasers of public-houses, and considering that they had the power of making such regulations as they saw fit regarding them, besides that of granting or refusing the licences at will, he thought, notwithstanding the way in which the hon. Member had stated his feelings of indignation with regard to such an assertion, that such a proceeding would give rise to the imputation that corrupt means might be used. With regard to the patronage which would be thrown into the hands of the local authorities, it might be shown, no doubt, that in the matter of gas, water, and sewage works, they had acted properly and well; but he ventured to think this question of public-houses stood upon a very different footing. The public-houses were the resort of, at all events, the lower part of the population. And not only so. The publicans themselves were not the only persons to be considered. They were dealing with the influence which licensed victuallers exercised in times of election over the masses, and they had to consider whether there was not considerable danger in that influence being placed in the hands of the servants of the Corporation. Were they willing to place that gigantic political weapon in the hands of their Town Councils? The Town Council of Birmingham were persons who were perhaps above the suspicion of corruption; but were all municipal authorities, or even Watch Committees, people whom they could as readily trust in a matter of this kind? Beyond that, did the House imagine that the question of compensation was simply a question of the number of men holding licences in any particular town? There was, he might remind them, another element which entered into this question, and which affected it largely. That was the element of the brewers, who were in many cases owners of these houses. Their interests would have to be considered as well as those of the retailers who occupied the premises. There might be another danger if this matter were placed in the hands of Town Councils, which they had often heard argued in connection with the Permissive

Bill. At first, perhaps, when municipalities stirred in the direction proposed by this system the public feeling might support them, and all might go well; but did anyone mean to say that those whose vested interests would be endangered, and who were said to possess considerable political influence, would not wish to see the old system restored, and would not do all in their power to bring about such a restoration? However, these were not his only grounds of opposition to the scheme. He certainly, from a letter which he had that morning received from Mr. Duff, the British Consul in Gothenburg, was inclined to believe that these objections were strengthened by the actual working of the system in Gothenburg itself. In the letter which he had received from the Consul he spoke of the evils attending it, and said that—

> "The Gothenburg Licensing Company had a good object in view when established, but the system, it appears, has proved a failure, owing to the way in which it has been carried out, and is at present only a money-making concern, realising a large amount annually, which forms a considerable income to the town. Drunkenness in Gothenburg is great, even among the upper classes, and the lower orders consider the company's retail shops as their privileged resort. These shops are situate in the most frequented situations, right in the face of the labourers and seamen, and I consider this is a great encouragement and temptation to drinking."

That, combined with some figures with regard to the amount of the profits and the amount of liquor consumed, strengthened his objections to this scheme. Accompanying the letter to which he had just referred were a number of statistics which showed that in 1865 the number of gallons drunk was 66,169, which in 1875 had risen to 329,982 gallons, whilst the money profits were £7,205 in 1865, and in 1875 £45,374. These figures encouraged him in believing that the introduction of this system to our country would not tend to the diminution of drunkenness or lessening the consumption of liquor, and he ventured to think the letter referred to showed that drunkenness was a part of the system existing in this town of Sweden. The hon. Member for Birmingham had well said that everyone who was in earnest was anxious to do his best to contribute something for the removal of this great evil; but although, perhaps, it might not appear so favourably to the hon. Member as to himself, he ventured to think that if the existing laws had been properly carried out a very large amount of the difficulties they were now enduring would not have existed. The licensing laws, combined with the Habitual Criminals Act, were admirably fitted to bring about the results aimed at if properly enforced, and if that were so they would see such results as had taken place at Luton, where from 257 convictions which had been recorded for drunkenness in 1869, they had been reduced in 1874 to 66. If properly administered, the licensing system might be made efficacious. The authorities had practically power over the criminal and drunken population, and in the counties, where they were duly administered, one-half of the criminals had gone to work, many were striving hard to retrieve themselves, and numbers had disappeared altogether. He believed that if the magistrates really would carry out these Acts, with the police to back them, they would be able in a short time to produce good results. Administration of these Acts in this way would, in his opinion, be more consonant with the feelings of the people of England than the attempt to introduce a system from which numerous evils must follow. He ventured to think that whilst they were all anxious, and no one more than himself, to see the causes of these crimes reduced, that reduction might be attained by the proper administration of existing laws, or at least with small amendments to them.

Sir WILFRID LAWSON: Sir, my hon. Friend the Member for Birmingham (Mr. Chamberlain) concluded his admirable speech with a pious aspiration that the proceedings to-night might tend to the extinction of the United Kingdom Alliance. I am sure that aspiration will find an echo in the breasts of a great many hon. Members of this House, but in no one's breast did it find a more cordial echo than in my own; for it will be the happiest hour in my life when the United Kingdom Alliance is dissolved; but I assure you, Sir, it will not be dissolved until its work is done. And I thank my hon. Friend the Member for Birmingham for having forwarded that work very much by the eloquent speech he has made to-night. There was very little in that speech with which I could not very cordially agree, and I am sure the House will forgive me for saying what pleasure it gives me to see what an advance this question has made in public opinion. I do rejoice to see this House beginning now to take up this matter in earnest. We have heard a great deal of late about the horrible atrocities in the East; the country has been aroused on that question. I am very glad that we can find some little time to turn our attention to the daily atrocities which we hear of in this country, and that under the guidance of the hon. Member for Birmingham we may soon make some efficient attack upon the cause of all those evils. This question certainly is advancing. It is only about three years since there were two men, who had not then seats in this House, but whom the public pointed out as being in every way qualified and fitted to adorn this Assembly —I mean my two hon. Friends, the hon. Member for Birmingham, who has addressed us to-night, and the hon. Member for Newcastle (Mr. Cowen);—but there can be no doubt that in the view of many people they were both of them looked upon as rather dangerous and revolutionary characters. Well, Sir, it gives me the greatest satisfaction to find that no sooner do they get into this House than, instead of advancing any attacks upon the great institutions of Church and State, they set themselves to revolutionize and overthrow that most monstrous of all institutions, the drink traffic, which is degrading and demoralizing this country. I rejoice to see two such valiant champions ready to do battle with what the hon. Member for Birmingham has called this "swollen tyranny." Sir, although I do not agree with everything in this Resolution, there can be no question that it would, if passed, be the most deadly blow which this generation has seen struck at the liquor traffic as it at present exists; it would be a declaration by this House that it considers the present licensing system an evil, and an irremediable evil. Now, what is that licensing system? Why, we have been told on good authority that the licensing system was intended for financial and for police purposes. Sir, for one of these purposes it has been the greatest and most triumphant success; we raise an enormous revenue by its means. But for the other purpose I maintain that it is a deplorable failure. It has failed utterly; and why? Because every individual trader in this business is paid by results. He is paid exactly in proportion to the amount of drink which he can get his fellow-creatures to consume. The object of the licensing system was to establish throughout the country a number of men who should give to their neighbours just enough to drink, and not a drop too much. There can be no other justification for limiting the trade. But that object has not been attained, and the temptation to give the consumer too much, and at the same time to make money by the extra sale, has overcome the resolution of those who deal in intoxicating liquors to preserve the public order; and the consequence is that we see from the Returns which have been quoted to-night how the country has been flooded with drunkenness and demoralization. Why these traders, who get their licences on condition of only supplying exactly enough to their customers, during the last year for which we have Returns gave an overdose to no less than 200,000 of their customers, and there were double the number of arrests that were made 10 years ago, and I think to-night we have had the argument about police vigilance exploded. Somebody generally gets up with a lot of statistics to prove that a couple of old women less have been taken up, and therefore we are on the high road to perfection; but to-night we see that all that firm reliance on statistics has been cast over. I do not know about these police being so vigilant. The hon. Member for Birmingham, in one of his pamphlets, states that at Birmingham one-fourth of the police force of that town had been themselves reported for drunkenness, so that if there has been increased activity in the police force, it seems that it has been increased activity in getting drunk; and I saw the other day that at a meeting of the Town Council of Salford a question was put to the Mayor, whether it was not true that 60 per cent of the police of that town had been reported for drunkenness, and the Mayor, like a good and prudent Mayor, declined to give any answer; and I draw my own conclusion from the reticence of the worshipful gentleman. Will anybody, after that, believe that it is the vigilance of the police that has increased the arrests for drunkenness by 100 per cent within the last 10 years? If they do, I think they must believe that in a few years more we shall all be taken up together. The hon. Member who has just sat down (Sir Henry Selwin-Ibbetson) exploded the theory of police vigilance, for he elaborately proved that the laws were not carried out as they ought to be, and as he wishes them to be carried out in future. If they are, then we shall have a vast deal more people taken up than we have now. Of course, the object of my hon. Friend the Member for Birmingham is to provide that this selling of intoxicating drink shall be carried on without producing those evils which all right-thinking persons so much deplore; and here is his object, stated in a report of a committee of the muncipality of Stockholm on the desirability of adopting the Gothenburg system in their town. Here is the description they gave of managers of public-houses—

> "The manager of a public-house must possess that firmness, zeal, and discretion which are required in his difficult position, between the demands of the consumer on the one hand, and his duty to the community on the other."

That is very well put—almost as well as my hon. Friend could put it himself—and that is just the object which we have had in view in the licensing system, only it so happens that the zeal of those we have licensed has outrun their discretion. In future, according to my hon. Friend, the publicans are to be so discreet that they will not allow their zeal to go so far as to supply an "extra glass." In short, he proposes that we should have at last a patriotic publican and a philanthropic potboy. He has put it very well. People are in future not to drink for the good of the house, but for the good of themselves—not for the benefit of the publicans, but for the benefit of the public; and I freely admit that is a very good object if it can be accomplished. My hon. Friend proposes to empower corporations to carry on this business. He is retaining the principle which is now so popular. He is copying the Government in their wise course, for the Government never brings in anything except Permissive Bills. The Government brings in Permissive Bills on all subjects except the drink traffic; but my hon. Friend is bolder, for he, to-night, has brought in a Permissive Bill on the drink traffic. But I must explain to the House what I think he did not dwell on so much as I think he might have done, in order to make it clear that what he suggests in the Resolution is a little different from what is now being carried on in Gothenburg. In Sweden this trade is carried on by a company, who are allowed to buy up all the licences; but my hon. Friend proposes that they should be transferred to the corporation, which makes a considerable difference, and one which ought to be considered by hon. Gentlemen in a full discussion of this subject. But before we go further and decide whether it is desirable to empower corporations to undertake this business, we ought to see whether it really has been the great success which it sometimes is said to have been in Gothenburg. Now, I take the year 1872. In that year three gallons per head of spirit were disposed of by the Gothenburg Company for every man, woman, and child in Gothenburg, being one gallon more than is consumed on an average by the entire population of Scotland. Mr. Carnegie, who is a very able, earnest, and excellent advocate of the Gothenburg system, made a speech at Edinburgh in July, 1873, in which he said that Gothenburg was making rapid strides towards becoming a model of temperance; but he published a pamphlet a little while afterwards, in 1874, I think, in which he said that he saw in 1874—or, at any rate, after his Edinburgh speech—407 more persons were taken up in Gothenburg for drunkenness than in 1873, and in fact, that in one of those years there were about three times the number of drunkards in Gothenburg that there were in Edinburgh, in proportion to the population. And I believe that at the present time the arrests for drunkenness in Gothenburg are very nearly equal in proportion to those in Liverpool, which we know is not a model of sobriety, but is as near a perfect model of drunkenness as the civilization of this age, which consists very much in promoting the sale of drink, can produce. Mr. Carnegie tried to explain it away by saying that he found those people who were arrested in Gothenburg were, a great many of them, not inhabitants of the town, but had come in from the country districts to attend the market. What an extraordinary defence! Why were those people to be made drunk any more than those who lived in the town? I thought those patriotic publicans were to know exactly how much everybody was to have. Cannot they tell how much a countryman can stand as well as a townsman? Well, you know the English custom—it is familiar to the House—the old Staffordshire saying—"Who's that?" "A stranger." "Let's throw half a brick at him!" It seems that the Gothenburg custom is this—"Who's that?" "A stranger?" "Let's make him drunk!" But, Sir, let me go into this question, and let us see what are the real facts. We have heard of Stockholm; in 1874 the proportion of arrests for drunkenness was 1 in 46. In Gothenburg it was 1 in 26. That shows—I do not wish to put the case too strongly, but it does show that Gothenburg is as yet a long way from being Paradise regained. If the House will look into the facts they will see that the real good which has been done by any of this Swedish legislation has been done when the law provided for restriction, and even prohibition of the liquor traffic altogether. We have heard to-night—and I commend it to the attention of the right hon. Gentleman the Member for the University of London (Mr. Lowe)—that not a generation ago Sweden, which was the best educated country we could find, and which abounded with religious facilities also—Sweden had that free trade in drink which is advocated by the right hon. Gentleman, and the consequence was that, notwithstanding all its advantages, it was the drunkenest country in Europe. But that has been changed, not by putting the traffic into the hands of a company, but by removing the public-houses altogether. Why, when the law first came into force in Sweden, the public-houses were reduced by 40 per cent, and that made a wonderful change at once. But I must quote at full length from a pamphlet written by Mr. Balfour, an ardent advocate of this scheme. Mr. Balfour says—

> "In estimating the practical value of the Swedish Licence Reform Act of 1855 allow me to refer to the fact that no minimum number was fixed for licence, and thus what is essentially a Permissive Prohibitory Act has existed is Sweden for the last 20 years. So vigorously have the people outside the towns used their permission to limit and prohibit, that among 3,500,000 people there were only 450 places for the sale of spirits. That is, for a population such as we have in the county of Lancaster, instead of having 7,000 spirit licences and 8,000 beer and wine licences, they have only 450, besides a certain number of houses for the sale of weak beer. This it is which has so helped Sweden to emerge from moral and material prostration, and which explains the existence of such general indications in that country of comfort and independence among all classes."

This power of prohibition is exactly what I have asked that my fellow-countrymen may be allowed to exercise, and which this House says they are not fitted to exercise. When my hon. Friend says—"Let the corporations, if they see fit, take this matter into their own hands," I have an equal right to say—"Let the country parishes, if they see fit, remove this great source of crime altogether." I want the House to understand that it is the principle of the Permissive Bill that my hon. Friend has been advocating to-night, and, whatever you say about the Resolution, that is the real good in it. I was at one time deemed a fanatic for saying that licences to sell drink ought to be granted for the benefit of the public and not of the publicans; but times are changing. See what the leading journal says in one sentence, talking about the Irish Closing Bill the other day—

> "It has come to be confessed by English politicians that, on a matter of local importance, deference should be paid to local wishes."

Exactly; and that is why the Government consented to pass the second reading of the Irish Sunday Closing Bill the other day. Why should not other places have the same right as Ireland? Why should not the parishes of England enjoy it? Are the circumstances of Ireland so peculiar? I remember the hon. Member for Waterford (Mr. Delahunty) made a speech in the last Parliament, and he began his speech by saying—"Mr. Speaker, Ireland is an island entirely surrounded by water." Well, what difference does that make? Surely a parish surrounded by a ring fence has as much right to have the minds and wishes of its inhabitants consulted as the people of Ireland have, because they happen to live in an island surrounded by water. Surely all the localities have a right to say whether they will have this trade amongst them or not. Is it possible now for anybody to bring in a Bill in this House without giving it a tinge of the Permissive Bill? Why, even during the late Government—Mr. Bruce had a touch of it in his Bill; and my hon. Friend sitting below me (Sir Robert Anstruther) who is always bringing in drink Bills which are fearfully and wonderfully made, cannot get on unless he takes a little bit of the Permissive Bill. Sometimes he measures his restriction by hundreds of inhabitants and sometimes by hundreds of yards; he runs backwards and forwards, and we never know how many yards off he is—but all his Bills have a touch of the Permissive Bill. And then there is that admirable Bill which I had the pleasure of supporting last year, and which I hope I shall have the pleasure of supporting this year—the Bill of the hon. Member for Newcastle (Mr. Cowen)—that is also a Permissive Bill. It would give the people the power of getting rid of these places if they choose, only by a different and more elaborate machinery than that which is suggested in my Bill. And, indeed, my hon. Friend (Mr. Chamberlain) does support the second reading of the Permissive Bill. I have heard him make one of the best speeches on that measure which I ever heard delivered, which, if it were not too long, I would read to the House. But this principle that he has embodied in his Resolution frightens some people. Now, I see a very excellent good Friend of mine sitting on the front Opposition bench, who looks as if he were going to speak, and I hope he is—I mean my hon. Friend the Member for Elgin (Mr. Grant Duff). He has been advocating the Gothenburg scheme, and I am delighted to see him taking up the question. But in describing the scheme of the hon. Member for Birmingham, which he did in a very clever speech, when he came to this part of it, "if they saw fit," he did not like it at all. And when he got to that part, he said—

> "Of course the power of shutting up all the public-houses is one that would in practice never be exercised, and must have been, I should think, introduced into the plan of Mr. Chamberlain merely for the purpose of giving it logical completeness."

Of course it was. My hon. Friend was not going to bring in an illogical Bill. He knew that if he gave the power to a company or a corporation, he must "go the whole hog;" he must trust them entirely, or not at all. And I think he is right; because, although it may be perfectly true, as was said by the present Prime Minister, that logic does not rule Parliament, yet I believe that logic in the end wins the day. But why should the hon. Member for Elgin say this scheme will never be carried out? Does he think that the Town Councils are so careless, stupid, degraded, and ignorant that they will like to have the liquor traffic everywhere, and all the pauperism which it brings? I hope there are Town Councils which would be wise enough, if they get the power, not only to take the trade out of the hands of the publicans, but to do away with it altogether. But I must allude to some of the objections which present themselves to this scheme. My hon. Friend talks about compensation. His Resolution is very well drawn, and he says he would give "fair compensation." So would I. I do not want to do anything unfair. Let anybody show that he is entitled to compensation, and there is no one in this House who would be more ready to vote for it than I am. But I tell you what I think — this is merely my opinion—I think that where a man has made a bargain with the public, and has paid money for the power of selling drink up to the 10th of October, on which day his licence ends, it is quite fair that if you want him to give up before that date you should pay him something. But after that I should not give him one penny of compensation. People talk about compensation; but I should like to see any first-class lawyer stand up in this House, and pledge his reputation to the statement that a publican has any right to compensation after his licence has run out. He would never be listened to afterwards, and his authority would be gone if he dared to say anything of the kind. Why, when the law has stepped in and interfered with other property, what has happened? The Factory Acts were passed; they said to certain manufacturers—"You have a big building, you shall not use this building except in a certain way, and except within certain hours children shall not be employed in them." One owner of a factory wrote to me the other day, and said the Factory Acts had lessened the value of his fixed capital by 20 per cent. But nobody has thought of giving him compensation for his loss; it was for the public good. I see the right hon. Member for Birmingham (Mr. Bright). There was a time when he was an agitator, like me. Well he never agitated against the wicked landlord who sells drink. He agitated against the wicked landlord who sold corn in the old days. He said—"Here is a law by which the price of your corn is artificially raised, and by which you make use of your land at present. We will alter that law." And the law was altered, and the value of corn, and consequently the value of land, fell; and we landlords never got a penny—we were not entitled to it. Well, but I will come to later proceedings. The House has passed the second reading of the Irish Sunday Closing Bill. An hon. Member (Mr. O'Sullivan) rose in his place on the second reading and said that if this Bill were passed it would ruin between 16,000 and 18,000 publicans in Ireland, in many parts of which country they drink only on Sunday, I suppose. No doubt they have been doing most of their business on that day; but is anyone prepared to give them a penny of compensation? And I defy even this Government, which is not averse to compensating various kinds of people—I defy this Government or any other to come down to this House and propose anything so monstrous, as that because the law alters the liquor traffic those who trade in liquor shall be compensated. But I may be wrong in all this; there may be a claim to compensation, and I am quite willing to hear the arguments on that side. Indeed, I would willingly give the traders all they ask, if by that means I could get rid of them and prevent them carrying on their desolating trade. But there is another argument — and this objection comes from a great many gentlemen who are earnestly friendly to temperance, and I regret that I cannot see eye to eye with them on this occasion. They say it is very wicked to allow a corporation to carry on this trade. Let me sum up that argument in one sentence. It is an extract from a circular issued by some of our friends in the North in which they describe the Resolution of the hon. Member for Birmingham as proposing a scheme—

> "Which seeks to give power to the corporations to impose taxes on the people for the purpose of compensating the publicans and thereafter to carry on the publicans' business in the name of the ratepayers, thus involving the whole community in the moral and social degradation that flows from the public-house."

I have no objection to the last few words that I have read; but as far as I can see we are not more implicated in the moral and social degradation which flows from the public-house by adopting the plan of my hon. Friend than we are already implicated in it by our existing Legislation. Under the present system the Imperial Government sends out 150,000 tax-gatherers to collect an enormous revenue by demoralizing the people of England. The hon. Member for Birmingham has described the action of the magistrates in this matter. He said it used to be the practice to give licences as rewards for long and faithful domestic services. That is, they licensed their old butlers. At all events, they have licensed 150,000 of various kinds of drink sellers, and I think it is a very horrible thing to contemplate. A very able medical man described this system the other day as one which was raising a revenue from the graves of the people; and I do not think the language was much too strong. In a few weeks' time, when we assemble after Easter, my right hon. Friend the Chancellor of the Exchequer will come down to this House with his Budget, and tell us how he has got upwards of £30,000,000 from the taxes raised from drink; and as every Chancellor of the Exchequer does he will, after parading his millions, then —to use Lord Beaconfield's expression— "with a face arranged for the occasion," express his regret at the immorality of the working classes. Then we shall all go home delighted at the arrangement of our financial measures, little thinking of all the wretchedness involved in raising that enormous revenue from the vices of a nation. I do not know what my right hon. Friend the Member for Birmingham (Mr. Bright) will say as to the corporation of the town he represents engaging in a traffic which he once denounced as producing crime, disorder, and madness; but I do know that if this scheme of my hon. Friend (Mr. Chamberlain) is passed, if it come into force, and if corporations be allowed this power, there are some resolute, earnest men in every constituency in the Kingdom who will fight to the death rather than allow their corporation to enter into a trade which they consider so immoral and so destructive. They will have more regard for the welfare and happiness of the poor in their neighbourhood, and I sincerely hope they will win a victory over those who wish to carry on this demoralizing trade. I thank the House for having so kindly heard my remarks. I have endeavoured to draw attention to the good and bad points as they appeared to me in the proposition before the House. Those hon. Gentlemen who believe the Gothenburg plan to be a success will support the scheme, as will those also who think that it will add to the dignity and honour of the corporations to be turned into retail licensed victuallers. I am one of those who doubt very much the truth of those two propositions. But still I feel a responsibility when I speak upon this question; and I feel that although I have my doubts as to the wisdom of parts of the scheme, it would be a very serious step to obstruct any measure which has a good tendency in this matter. I think honestly that the scheme in many respects is a fantastic one—that sober and sensible men must feel the absurdity of establishing people in a trade and telling them to do as little business in it as possible. I recognize the temptation to corporations to carry on this trade with the object of relieving themselves from the rates. I know also perfectly well that to many hon. Gentlemen the city of Gothenburg is a city of refuge to which they can fly to get a little breathing time from the furious assaults of the United Kingdom Alliance. But I support this Resolution because, with all its drawbacks, it strikes a deadly blow at the present licensing system, and because, although that is not its direct object, it does place the power of prohibiting the liquor traffic in the hands of 200 municipal councils, representing 6,000,000 of inhabitants. And, therefore, although I know that many of my best friends and supporters will say I am wrong in taking the course I propose to do, yet I cannot resist on this occasion doing what little there is in my power to support an earnest, honest, and able attempt to deal with the greatest evil of our day and generation.

Mr. GRANT DUFF said, he should vote for the Resolution, because the great city of Birmingham was ready to try this experiment if it had permission to do so; and while he should be sorry to see very many Town Councils trying it at once he should be still more sorry to see none of them try it at all. All they knew at present was that a kindred experiment had succeeded extremely well in Sweden, which possessed many features in common with our own—had succeeded, indeed, so well, that it was just about to be put in operation in the capital city of that country. Such a fact might be very far from decisive, but it raised a presumption favourable to the trial of some such experiment here. Objections had, however, been urged, with a view of showing that, though successful in Sweden, it would not be so here. Those objections he would briefly consider. It had been said that the rights of property would be interfered with. No doubt, they would, to some extent; but as no change whatever in the licensing laws could be made without more or less interfering with rights of property, that argument went a great deal too far. The question was, whether the interference proposed by the hon. Member for Birmingham (Mr. Chamberlain) was an undue or excessive interference. Then they were told that the plan would cause a most injurious extension of the patronage and power of Town Councils. That statement had no terrors for him. He wished to increase the patronage and power of Town Councils throughout the country, so as to make those bodies more influential and to make a seat in them more coveted. Then they were told that property of this kind had never been made the subject of compulsory purchase in a free country. What was the difference between the property now proposed to be taken and the property which could be taken under the Artizans Dwellings Act? Why, the hon. Member for Birmingham had told the House that under that Act Birmingham was positively purchasing compulsorily something like 120 public-houses. Then they were told that it would create a whole brood of borough monopolies. It would, he thought, rather extinguish a vast number of monopolies in the true sense of the word—namely, privileges given to individuals to sell for the purpose of creating a number of rights of selling, which were not in any true sense of the term monopolies at all. Then it was said that the advocates of cheap drink would fill the Council Chamber with persons pledged to maintain their interests. That was not at all probable. The moderate drinkers were in a great majority in every community, and the excessive drinkers in a minority. No doubt, elections turning purely upon questions of drinking or no drinking, such as would be elections under the Permissive Bill, would be a great evil. But the question of the management of the municipal public-houses would be merely one among many, and would form a perfectly legitimate subject of local interest and discussion. Then it was said that it was most undesirable that the public-houses and the police should be managed by the same public authority. He, on the contrary, thought that it would be most desirable, for the public-house-keepers and the police would then be acting together in sustaining the law. Then it was said that the Gothenburg plan had not prevented people from getting drunk. Was any one ever silly enough to think that it would? It had diminished the number of drunken people, and that was all; but that, surely, was a great deal. Then, it was said that the compensation required and the difficulties of the scheme generally were so gigantic that no Town Council would enter upon it. If none did, then no harm would be done; but if Birmingham entered upon it he shrewdly suspected that Birmingham would make an uncommonly good thing by it. If the various trades connected with the public-houses in Birmingham were not a good deal afraid that the town was likely to get—in case a measure founded upon this Resolution passed —a good share of the profits which had hitherto found its way into their pockets, he did not think they would have plied hon. Members with lithographed Petitions and printed statements in the way they had done. Then, we were advised to try free trade in liquor. That was the phrase used for the proposals of the Committee of 1854. But against those proposals he had to object—first, that in order to carry them we should have to overcome the united opposition of all the special advocates of temperance, plus the opposition of all the special advocates of intemperance; secondly, that when we had done it, we should not have free trade in liquor at all, but, at best, a somewhat less shackled trade in liquor than we had at present. We should never have free trade in liquor, till we made the trade of the publican as free as the trade of the baker, and no one had, as far as he knew, proposed to do that. We must have exceptional regulations in an exceptional trade. Thirdly, we should find it almost impossible to exercise that close police supervision which was a *sine quâ non* of these plans. The proposal of the hon. Member seemed to him the only one at present before the country which was likely, if accepted, to effect sufficient good to make it worth taking much trouble for; and if it were clear that it was not going to be accepted, there was nothing to be done, he was afraid, by legislation. We must then fall back upon the numerous indirect agencies which were working in favour of temperance in the lower strata of society, which would probably in time produce the same effect among them which a hundred agencies had done in the upper strata of society. But that would be a slow process, and if we could quicken it by doing a thing which seemed to be reasonable in itself, by giving the municipalities the completest control possible over the public-houses, while we prevented any injustice being done to existing licence-holders, he thought we ought to try to quicken it. We might, perhaps, do considerable good by legislative action, and this was the only legislation which commended itself to his mind.

MR. FERGUSON: If the scope of this Resolution had been strictly limited by the hard-and-fast lines of the terms in which it has been drawn up—if the question had only been one between public-houses and public-houses limited, I should have been much inclined to think that the advantages to be gained were more than counterbalanced by the dangers to be apprehended. It is, however, evident that the scope of the proposal is by no means so limited, and that the cardinal point is the transfer of the public-houses to a body duly impressed with a sense of the moral responsibility under which they have assumed the control of them. It will further be in their power to introduce not only the milder forms of intoxicating drinks, and the eatables which it was originally their province to sell, as suggested by the hon. Member for Birmingham, but also non-intoxicating drinks such as coffee, lemonade, and, especially, cocoa, for which is claimed the virtue, that it possesses more than anything else of a similar description the property of assuaging the craving for intoxicating drinks. Thus they might convert them into something of the nature of workmen's *cafés*, or as suggested by the hon. Member for Birmingham, workmen's clubs. Thus those who resorted to a public-house for the sake of comfort and social intercourse would not be obliged in doing so to partake of drinks of an intoxicating nature. There is also another advantage which is not so obvious on the face of it, and it is this—The persons employed by the municipal authorities to conduct the beer public-houses would, under the system of simple restriction be, as it seems to me, in rather a false position. The ordinary theory is, that he who manages a business for others, should so conduct it as if he was managing it for himself. Now the whole scope of this measure is, that he should not conduct it as if he were managing it for himself. It would be rather difficult for him, as it seems to me, to disabuse his mind of the idea that his duty was not to do the best he could for his employer by making as large a return as he could. The injunction "*Surtout point de zèle*," not always understood by the more highly-educated classes, would be to him a mystery. But under the conditions to which I have referred all this would be changed. The employé would be simply in the position of a man placed to conduct a business according to the instructions given him. "There are two different sorts of goods. We wish you to push the sale of this sort, and to let the other take care of itself." These are instructions of every-day occurrence, which he could readily understand, and to which he would have no difficulty in conforming. Another advantage would be, that by these means, the municipality might be enabled to recoup itself for its restricted sale of intoxicating drinks, and thus make the scheme pay. There is another advantage which, though it is rather of a prospective character, might, I think, turn out to be of much value. Under the system proposed by the hon. Member for Birmingham there would be no difficulty in closing the public-houses during the time of a contested election. This is carried out in many large towns of the United States, and there is nothing which would more contribute to order and quiet, and even the purity of an election. This, under the ordinary system, it would be difficult to do, because in the excited state of feeling then prevailing there would be a constant suspicion of political partizanship; whereas, if all the public houses were under the care of the municipality nothing of this sort could happen. I am further induced to support the Resolution by the fact that a municipality so important as that of Birmingham has approved of it, and might probably have the courage of their opinions, and carry it out. Should, then, that municipality carry it out successfully, others, no doubt, would be encouraged to follow its example. At all events, it would be tested under the most favourable circumstances. Should the corporation of Birmingham shrink from the enterprize, all I can say is that where Birmingham feared to tread no other corporation would be likely to rush in. Thus, at any rate, there would be no harm done. On the whole, then, not underrating any of the objections which may be urged against it, I think it my duty to vote in favour of the Resolution.

SIR HARCOURT JOHNSTONE, believing there was much in what had been said with regard to local option, would give his support to the proposal of the hon. Member. The scheme had this especial merit—that private interest was dissociated from the desire to make people drunkards. He admitted that this was a great experiment; but, at the same time, he thought that not merely the great towns, but that rural parishes should be allowed to try it. Some hon. Members of that House endeavoured to carry out the principle put forward in the Resolution by encouraging the establishment of coffee houses where the working classes could refresh themselves without any danger of getting intoxicated. For his own part, he believed that if the corporations in cities and boroughs could get rid of the system of keeping drinking bars without food bars in public-houses, and afford sufficient accommodation of a different character, the plan would be entirely successful. He regretted to see by the statistics quoted by the hon. Gentleman the Under Secretary of State for the Home Department that the system now proposed had failed in Gothenburg. But that was entirely to be attributed to an increase of wages to the working classes, which amounted, in the timber trade especially, to nearly £1 a-day. That he had on the authority of a gentleman, a friend of his, who went over to buy timber, who informed him that wages had greatly increased, and so had intemperance in the same proportion.

Mr. E. S. HOWARD said, he could not pretend to any great experience on this subject; but he wished to say that what experience he had had led him to join those who had been called by licensed victuallers "unpractical, but well-meaning individuals and would-be reformers." His opinion, was that under the present licensing system, the evils that arose from drink would never be lessened, but would probably be increased. The number of liquor Bills that had been produced was sufficient to show that the existing arrangement was not so satisfactory as some people contended it was. Last year a memorial was signed by 13,000 clergymen of the Church of England setting forth their conviction, derived from long and intimate acquaintance with the people, that their condition would never be improved so long as intemperance prevailed amongst them, and that intemperance would continue to prevail among them so long as the temptations to drink surrounded them on every side. This was strong evidence of the failure of the licensing system, and was evidence not to be disregarded, especially on the Ministerial side of the House. It was sometimes said that we ought to be satisfied "if we see causes at work which tend to the ultimate eradication of intemperance." But if a man were suffering from a painful disease, would he like to be told to wait in this way, and would he not wish to adopt every means for putting a stop to the disease and preventing its aggravation? He should support the Motion, because he thought it would deal a vital blow at the present licensing system, and would enable those communities who wished to do so to apply their own remedy to the evil. He was not himself prepared to vote in favour of the Permissive Bill, as he considered that that would introduce a system that might interfere with the moderate and legitimate desires of respectable people, but he did not consider that the Gothenburg system would have this effect. He had no doubt that the agitation against the existing system would go on as long as it was considered proper and right that a great proportion of the national Revenue should depend upon, and a great portion of the national capital should be embarked in a trade which was in reality a great national curse; and, this being so he thought it desirable that something in the shape of the principle before the House should be adopted with a view to counteract so great an evil.

Question put.

The House *divided*:—Ayes 51; Noes 103: Majority 52.

AYES.

Acland, Sir T. D.
Anderson, G.
Anstruther, Sir R.
Ashley, hon. E. M.
Balfour, Sir G.
Beaumont, W. B.
Bell, I. L.
Benett-Stanford, V. F.
Biggar, J. G.
Briggs, W. E.
Bright, rt. hon. J.
Brogden, A.
Burt, T.
Chadwick, D.
Colebrooke, Sir T. E.
Courtney, L. H.
Cowen, J.
Crawford, J. S.
Cross, J. K.
Dalrymple, C.
Dickson, T. A.
Dilke, Sir C. W.
Duff, M. E. G.
Ferguson, R.
Havelock, Sir H.
Howard, E. S.
Johnstone, Sir H.
Kenealy, Dr.
Lawson, Sir W.
Leith, J. F.
Lush, Dr.
M'Arthur, A.
M'Arthur, W.
M'Laren, D.
Middleton, Sir A. E.
Morley, S.
Mundella, A. J.
Mure, Colonel
O'Byrne, W. R.
O'Clery, K.
O'Conor Don, The
Parnell, C. S.
Richard, H.
Stevenson, J. C.
Sullivan, A. M.
Temple, rt. hon. W. Cowper-
Trevelyan, G. O.
Ward, M. F.
Whalley, G. H.
Whitworth, B.
Whitworth, W.

TELLERS.

Chamberlain, J.
Kennaway, Sir J. H.

NOES.

Ashbury, J. L.
Assheton, R.
Balfour, A. J.
Barttelot, Sir W. B.
Bass, A.
Bates, E.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Blake, T.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Campbell, C.
Cobbold, T. C.
Collins, E.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. R. A.
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Dunbar, J.
Edmonstone, Admiral Sir W.
Egerton, hon. W.
Elliot, G. W.
Ewing, A. O.
Fawcett, H.
Forester, C. T. W.
Fraser, Sir W. A.
Freshfield, C. K.
Gallwey, Sir W. P.
Gardner, R. Richardson-
Gibson, rt. hon. E.
Goldney, G.
Gooch, Sir D.
Gordon, W.
Goulding, W.
Greene, E.
Gregory, G. B.
Grieve, J. J.
Hall, A. W.
Hamilton, Lord G.
Hamilton, hon. R. B.
Hay, rt. hn. Sir J. C. D.
Henley, rt. hon. J. W.
Hill, T. R.
Holker, Sir J.
Hope, A. J. B. B.
Hunt, rt. hon. G. W.

Isaac, S.
Jenkins, D. J.
Jervis, Colonel
Johnston, W.
Kennard, Colonel
Knatchbull-Hugessen, rt. hon. E.
Knowles, T.
Lawrence, Sir T.
Lechmere, Sir E. A. H.
Lloyd, S.
Lloyd, T. E.
Lowe, rt. hon. R.
Lowther, hon. W.
Macdonald, A.
Maitland, J.
Manners, rt. hn. Lord J.
Marten, A. G.
Mellor, T. W.
Northcote, rt. hon. Sir S. H.
Onslow, D.
Phipps, P.
Polhill-Turner, Capt.
Power, R.
Raikes, H. C.
Ripley, H. W.
Ritchie, C. T.
Salt, T.
Sanderson, T. K.
Sandon, Viscount
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shaw, W.
Sheridan, H. B.
Sherriff, A. C.
Simon, Mr. Serjeant
Smith, F. C.
Smith, W. H.
Stanley, hon. F.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Swanston, A.
Taylor, rt. hon. Col.
Thwaites, D.
Torr, J.
Walker, T. E.
Waterhouse, S.
Watney, J.
Wells, E.
Whitwell, J.
Wilmot, Sir J. E.
Yeaman, J.

TELLERS.
Dyke, Sir W. H.
Winn, R.

CRIMINAL PUNISHMENTS (IRELAND) (APPLICATIONS FOR REMISSIONS).

MOTION FOR A RETURN.

CAPTAIN NOLAN rose to move for

> "a Return of the number of Applications for total or partial Remissions of Criminal Punishment awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused."

The hon. and gallant Member said, to his surprise he found that his Motion was to be opposed, but he could not understand upon what grounds the Government were prepared to resist it. The Return in question was wholly unconnected with political offences, for there were none in Ireland during the period specified. When memorials were got up by the friends of prisoners, believing in their innocence or the mitigating circumstances of their case, it was usual to obtain signatures in the neighbourhood, and the matter was then referred to the Chairman of the county. He had himself signed such memorials, and he should not be ashamed if they were all published in *The Times* with his name attached. An impression prevailed in some parts of the country that punishments were remitted on the recommendation of influential persons generally connected with the Conservative Party. If that impression were wrong, nothing could dispel it more effectually than the production of the Return for which he had moved.

Motion made, and Question proposed,

> "That there be laid before this House, a Return of the number of Applications for total or partial Remissions of Criminal Punishments awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused."—(*Captain Nolan.*)

Notice taken that 40 Members were not present; House counted, and 40 Members being found present,

MR. WHALLEY asked in what manner the discretion of the Lord Lieutenant was exercised in dealing with applications for the remission of punishment? It had been laid down by the Home Secretary that regard could not be paid to representations from the convict, lest the chance of supporting such applications by new facts should tempt prisoners to withhold them on their trial, and so defeat justice. If that were not the general rule they must come to the conclusion that the Home Secretary adopted it only in reference to certain cases. He supported the Motion for the Return.

MR. BIGGAR rose to address the House, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 14*th March*, 1877.

MINUTES.]—SUPPLY—*considered in Committee*—NAVY ESTIMATES AND NAVY EXCESS ESTIMATE, 1875-6—*Resolutions* [March 12] *reported.*

WAYS AND MEANS—*considered in Committee*—*Resolutions* [March 13] *reported.*

PUBLIC BILLS — *Ordered* — *First Reading* — Marine Mutiny*; Exchequer Bills and Bonds (£700,000)*.

Second Reading—Intoxicating Liquors (Scotland) [13], *negatived;* Criminal Law Practice Amendment [78]; Registration of Borough Voters* [115].

Second Reading—Referred to Select Committee— Parliamentary and Municipal Registration [59].

Select Committee — Ecclesiastical Offices and Fees * [12], Mr. Russell Gurney *disch.*, Mr. Gregory *added.*

Committee—High Court of Justice (Costs) * [99]—R.P.

Committee—Report—Settled Estates * [61].

INTOXICATING LIQUORS (SCOTLAND) BILL.—[BILL 13.]

(*Sir Robert Anstruther, Dr. Cameron, Mr. Dalrymple, Mr. Maitland, Mr. Jenkins.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Robert Anstruther.*)

MR. J. MAITLAND said, he was not aware until that morning that it would have fallen upon him to state the objects of the Bill on the second reading, and he must therefore ask the indulgence of the House. The present measure was drawn on lines similar to those of the Bills which the hon. Member for Fifeshire (Sir Robert Anstruther) had introduced in previous Sessions, and that fact rendered it less necessary that he should go minutely through all its clauses. He would deal with the matter in a general way, and point out what he thought were the two main objects of the Bill. It proposed, first, to make a change both in the publicans' and grocers' licences; and, in the second place, it proposed to make an alteration in the mode in which grocers sold excisable liquors, especially spirits, at the present time in Scotland. He must say that he looked upon the second part—the alteration which it was proposed to introduce into the mode of selling liquor in grocers' shops—as the most valuable part of the Bill. There was a great difference in the law of Scotland and that of England in regard to the mode in which grocers sold liquor. In England grocers were not allowed to sell liquor in anything less than a quart bottle, which must be corked and sealed; but in Scotland, on the other hand, grocers were, unfortunately, permitted to sell any quantity, no matter how small, in an open vessel. The result of the traffic so conducted was most mischievous. The grocer's shop became simply a public-house, and one into which people were tempted who would shrink from entering an avowed public-house; and, moreover, the wives and children of the working classes, and even of those in a better position, who frequently went to those shops for other articles, were tempted to obtain liquor. From what he had heard from his own constituents, from others of the working classes, from clergymen, and others who took an interest in social reform, he was convinced there was no more fruitful source of drunkenness in the community than this, and that it was the great cause of what he believed to be an increasing evil—namely, drunkenness among women. He hoped that the Home Secretary would be induced to assimilate the law of Scotland on this matter to the law of England. He could not conceive what possible grounds there could be to refuse that which was the almost unanimous wish of the people of Scotland, and what the people of England actually enjoyed. Now, as to the matter of licences. The proposal of the hon. Baronet adopted the ideas which were popular in Scotland; he purposed to effect an alteration in the law in the way of restriction, and the way in which he would do it was this: He proposed, in the first place, that the licences should be reduced until there was not more than one to every 500 of the population. In the second place, he proposed that when that limit had been reached it should then be in the power of the ratepayers living within 500 yards of a proposed public-house to say whether such public-house should be established. For himself, he would candidly state that he would rather have seen the power placed in the hands of all the ratepayers of Scotland. But that was not the proposal of the hon. Baronet; and the hon. Baronet had undoubtedly a right to propose what he pleased to the House, and he (Mr. Maitland) supported the Bill on the principle that half a loaf was better than no bread. The people of Scotland were in favour of restriction, and believed that a diminution in the number of licences diminished the amount of drunkenness. In such towns as Perth, Linlithgow, and the Fourth Ward of Glasgow, and other places which had been canvassed, the great majority of the electors had declared themselves in favour of restriction; and some had gone so far as to sign a declaration, of the principle of which he confessed himself too much of a politician altogether to approve, in these words—

> "In anticipation of the Parliamentary elections, we, the undersigned electors, do hereby promise to vote only for those candidates who distinctly promise to vote for a permissive prohibitory Bill for Scotland."

There were 369 electors on the roll of Linlithgow, and of that number 190, or considerably more than half, signed the declaration. In Glasgow in the Fourth Ward, out of 3,762 electors on the roll 2,045 signed the declaration. Now, when it was the fact that so large a proportion of the electors in Scotland were in favour of such a measure as the Permissive Bill, it certainly went to show that there was a decided feeling in favour of restrictions such as were proposed in the measure before the House. So much then for the opinion of the people of Scotland; and he thought he might safely assert that the people of Scotland had a right to be heard upon this licensing question, and that their opinion should not be outweighed by the votes of English Members so far as regarded their own country. English Members ought not to come down to the House to decide a matter like this having reference to Scotland alone. The two countries stood in very different positions in this matter. Scotch drinking, speaking roughly, was a very different thing from English drinking. In Scotland the drinking that did mischief was dram-drinking. That was not so in England. In England people drank a great deal of liquor with their meals; but that was not the custom in Scotland. There people went to the public-house in the morning and afternoon and took drams, either alone or with their companions; but they did not drink liquor as they did in England, as refreshment with their meals. Such a thing as drinking at dinner was quite unknown among the common class. He would therefore ask English Members to bear in mind that they had a very much worse form of drinking to deal with in Scotland. In England, as he had heard, many people objected to "robbing a poor man of his beer," and he had a certain sort of sympathy with that sentiment; but it was impossible to have any feeling of the kind with the dram-drinking that went on in Scotland. The only other point to which he desired to advert was this—he should like to argue the question whether these restrictions would put an end to the prevalence of excessive drinking or not. It was exceedingly difficult to obtain anything like satisfactory statistics on that matter. But there was one place to which so much reference had been made last night that he thought he might cite it as an instance of the extreme success with which the diminution of public-houses had been attended. He meant the case of Gothenburg, referred to by the hon. Member for Birmingham (Mr. Chamberlain). Two or three years ago the Gothenburg system became well known in Scotland, and it was thought desirable by those who took an interest in the question that there should be some more accurate knowledge of what was being done and with what result. Accordingly some leading citizens of Edinburgh, who could be trusted to make candid inquiries and make an unprejudiced report, went over to Gothenburg; and the result they arrived at was this—that it was found that the benefit alleged to have taken place in consequence of the peculiar system adopted there was entirely due to the fact that the number of public-houses had been largely diminished. It was not, he believed, mentioned by the hon. Member for Birmingham yesterday, that shortly after the system was introduced into Gothenburg the number of public-houses was reduced from 40 to 23, and the cases of drunkenness, which in 1865 were 2,070, were reduced to 1,424. That was a striking instance of the fact that a diminution in the amount of drunkenness could be brought about by a diminution of the licensed houses, and he hoped a similar result would be attained in Scotland by the passing of this Bill—which he now begged to leave to the consideration of the House.

COLONEL MURE said, that year after year Parliament was called on to consider the drinking habits of the people, and year after year they became more and more impressed with the great evil which existed in the intemperance of the people; and year after year they were baffled in their attempts to bring about a diminution of that evil. But he could not help thinking that this year they had made a stride in advance. All, he thought, would agree with him that the speech of the hon. Member for Birmingham (Mr. Chamberlain) last night might be considered as a step in advance. It was a serious attempt to attack the evil of drunkenness from what might almost be called a new point of view; and he thought that when they saw Members of the House of the ability and of the earnestness of the hon. Member for Carlisle (Sir Wilfrid Lawson), the hon. Member for Birmingham, and the hon. Member for Fifeshire (Sir Robert Anstruther), all agreeing to some extent, though disagreeing on some points—yet all turning their attention to one thing, the diminution of drunkenness—he could not but think that those who felt strongly on this question might feel encouraged, and that the licensed victuallers had more reason for apprehension this year than they had ever had before. A great deal had been said, and repeated *ad nauseam*, to the effect that they could not make people sober by Act of Parliament. That, indeed, was a phrase that had become quite household words in this argument. He (Colonel Mure) could not think that the phrase should be accepted as an axiom or as a decided truth. It had been used over and over again, whenever an amelioration of the people had been attempted which was thought to invade vested interests. Looking to what took place with regard to the Factory Acts. When they were proposed the same argument was used—they were told that they were invading vested interests, they were told that they were attempting to protect women and children, and men also, and it was said that before there could be a proper state of things brought about people must become humane, which they could only be of their own accord. They were told, in short, that they could not make people humane by Act of Parliament. He quite agreed that they could not make people humane by Act of Parliament—he quite agreed that no legislation of this or any other country could alter men's feelings of humanity; but they could put it out of the power of those whose self-interest made them inhumane to continue to act with inhumanity towards those over whom they had power. It was the same with this question of drunkenness. Though it was true they could not make people sober by Act of Parliament, they could diminish the facilities for insobriety, and in that way they could prevent people from getting drunk by Act of Parliament. They, who felt strongly on this question, did not desire to attack the publicans—they quite recognized their vested interests, but they recognized that the way in which they must attack drunkenness and its attendant evils was only and solely through the diminution of the number of publicans' licences and the regulation of the trade of publicans. Now, with regard to the measure of the hon. Member for Fifeshire (Sir Robert Anstruther), there were two principal points in it. One was the retail of liquor by the grocers, and the other the diminution of the number of public-houses in proportion to the number of the population. He did not wish to say much about the sale of liquor by the grocers; but he would like to say one word as to the diminution of the public-houses. Many statistics had been brought before the House showing that there was not much relation between the number of public-houses and the population; and instances had even occurred where the number of public-houses had been diminished, but the amount of drunkenness had not diminished. He thought, however, other factors came into play in that question. The hon. Member for Birmingham (Mr. Chamberlain) in his speech last night showed that although on one night in Birmingham there were only 29 people taken up for drunkenness, it was ascertained that a very large number of people —700 men and 500 women—had entered 30 public-houses in the course of a few hours, and that a large proportion of them were drunk, although they did not come within the cognizance of the police. One of the evils caused by the undue number of public-houses was the excessive amount of retail dealing it brought about. Where the numbers were few a retail trade was beneficial, as producing useful competition; but when the numbers became excessive it brought about another description of traders, who were compelled by competition to decrease the price of the articles they sold, and compensate themselves by deteriorating the quality. Moreover, the more retail the trade the less the qualifications requisite for it. If this were so in all the retail trades, it was especially so in the publicans' trade. A much larger number of people embarked in the trade than there were legitimate means of making a profit for, and they were reduced at last to the necessity of cheating the public by selling liquor of an inferior quality. But this was not the worst—the publicans were able not only to sell a deteriorated article, but to adulterate the article in which they dealt in such a manner as to create an excessive desire for it. Therefore, they had more power than other retail dealers to force an enormous sale. That was the evil of an excessive retail trade in liquors. Now, with regard to the proportion of public-houses to the population, that was a more important matter. Statistics had been quoted, but they were almost worthless. He would put the case this way—Suppose it should suddenly happen that no man, woman, or child resident in Glasgow drank more than was good for him—why the publicans would be ruined. Did not this show that there was an enormous excess of public-houses and licensed grocers in Glasgow? The ratio of the facility to obtain liquor which was needful to the population, and the drinking which merely resulted in drunkenness, was exactly defined. The number of publicans who would be ruined would show exactly the number of unnecessary houses there were; and, *per contra*, he imagined that if they were to succeed in reducing the number of houses, the result would be that they would not pander to a desire for liquor in its injurious form, but would come to such a mean as would supply the rational wants of the people. Another point he had to urge was that with the enormous number of public-houses that existed, particularly in the small towns, it was impossible to supply police supervision. In Scotland, particularly in the villages, they had an admirable police force; but it was impossible that they could properly supervise the public-houses whilst there were so many of those places. In his own neighbourhood was a village of some 8,000 or 9,000 inhabitants. There were 50 public-houses — places for the retail of liquor — there, but the police force only numbered two or three men—that number being considered proportionate to the requirements of the neighbourhood. The result was that the publicans, licensed victuallers, and grocers were almost practically withdrawn from the supervision of the police; and though that body was effective in checking ordinary outrage and crime, it was almost impotent to check the large amount of drinking and drunkenness and continual breaking of the law of the publicans and the public. But there was one point which was the most melancholy of all in this matter. There was no Member of that House, whether he took a special interest in the question or not, who did not deeply deplore the intemperate habits of the people of this country. We were a byword amongst nations on account of this. There was no country in the world so prosperous as ours; there was no country with such extended power as we had; there was no country which had done so much for civilization as we had. But there was also another thing that was quite as true—that there was no country so much cursed by drunkenness and its attendant evils as this country, or that suffered so much from its attendant evil — pauperism. People would be astonished, were they to look back at the records of the last few months, to see how frequently the Judges on their circuits had pointed out that almost all the crime—the murders and open violence, the sin, the misery, the neglect and suffering within the family circle—was caused by the drinking habits of the people. Then, he asked, why was it we did not earnestly tackle the question? He put no blame on hon. and right hon. Gentlemen who sat on the other side of the House, nor on any one on his own—he said they were at this moment overshadowed by, as the hon. Member for Birmingham called it last night, an insolent power—the power of the licensed victuallers. Another great difficulty in their way was the fact that the Chancellor of the Exchequer derived a large proportion of his revenue from the drinking habits of the country. He supposed it was within the experience of every Member of the House who had gone through a contested election to have been "battered"—to borrow a word from the Secretary of State for War—with deputations. First, perhaps, there would come the advocates of temperance; then would come men of the other side, who, whilst claiming also to be the friends of temperance, would warn the candidate that if he took any of those steps which, as some believed, would tend to the prevention of drunkenness, they would vote against him, and otherwise do their best to prevent his return. He remembered the experience of a friend of his who, one evening during a contested election, worn and weary and "battered" with deputations, was waited upon by a party of gentlemen, about whom he was not sure whether they were publicans or the friends of sobriety. The spokesman entered into a very earnest expression of opinion in favour of temperance; and his friend, concluding that they were of the latter class, cut short the discussion by intimating that he was delighted to find that they were in favour of sobriety, and that he meant to do his best to favour their views. But to his surprise he was immediately warned that if he pledged himself to the support of any measures attacking the vested interests of the publicans they would vote against him. That was an exemplification of what frequently occurred at contested elections. There was, in fact, no one that dared invade the vested interests of the publicans—not that we were not ready to acknowledge the gigantic evils of drunkenness, but because of their unfortunate power and influence in the country — the growing power and influence which warped the best aspirations of the people, and exercised a most lamentable effect upon both the House and the country. Until the people were better educated they would not be able to pass a measure such as that now before the House. But the remedy would come some day, though not in the way expected by some. It would not come in the simple way of men being taught reading, and writing, and arithmetic, and geography; but it would come, when they came to be politically better educated, that the people would rise in indignation, and say to Parliament—"We trust to you, for you alone have the power to attack this great evil which has arisen in the land, and to provide us some protection against this unfortunate national vice of drunkenness."

SIR GRAHAM MONTGOMERY wished to say, in reference to the plan now before the House, that he thought the time had not yet arrived when they ought to be called upon to express an opinion on the question of reducing the number of public-houses. Only last year an Act was passed for Scotland in reference to the sale of intoxicating liquors, the main object of which was this same one of reducing the number of public-houses. So, until the result of that measure had been ascertained, they were not, in his opinion, called upon to say "yea" or "nay" to the question involved in the present Bill. Then, again, there was another principle involved to which the House was scarcely prepared, he thought, to give assent—he meant the introduction of the ratepayer element. With reference to the grocers licences, he did not think they had sufficient information to enable them to deal with that subject. Before making up his mind he would like to know if it were really true, as was alleged, that grocers were in the habit of selling drink to women and children, and of allowing drinking in back rooms in an illegal manner. He was quite sure it was not the case with respectable grocers in Scotland — and that being so, he wanted to know why a law should be passed to the injury of the reputable members of the trade simply because there were some carrying on their business in an illegal manner. Before any legislation was attempted on this point there ought to be a full inquiry. As to the proposal that grocers should not be allowed to sell spirits except in a quart bottle closed and sealed, he considered that such a regulation would be a serious interference with the respectable members of the trade, and he did not see that they had any right to take away the privileges which they at present possessed until an abuse of those privileges had been proved against them. He knew that the question before the House had been investigated in times past, but he was not satisfied that the inquiry had been complete and sufficient.

MR. BAXTER: I think that the fact that both yesterday and to-day this House has been engaged in discussing the liquor question in itself sufficiently proves that there exists a very widespread feeling that the laws relating to the sale of intoxicating drink are not in a satisfactory condition, either in England or Scotland, and that they require amendment and amelioration. I am sure, too, that no one will grudge the time which has been spent in discussing this question—one socially the most important of the present day. I think that the more the whole matter is examined, the more will every candid mind be ready to admit that the difficulties appear greater and greater as we proceed with our investigation. Now, I agree with my hon. and gallant Friend the Member for Renfrewshire (Colonel Mure) on a few points. I agree with him that there is no more discreditable phase in the social life of this country than the great influence possessed by the publicans, and exercised especially at election times—and I, for one, should be inclined to join in any movement which would do anything to bring about the destruction of that influence. The hon. Member for Birmingham (Mr. Chamberlain) seems to think that Scotland has got some particular mode of its own for dealing with the question of excessive drinking, for he proposed to exempt that country from the operation of his measure. But that is not so; there is a widespread difference of opinion in Scotland as to the remedies best to be employed; but I may say that the Gothenburg system has more supporters there in proportion to the population than it has in England, because it is believed that if the scheme were adopted it would lead to a reduction in the number of public-houses, and that it would, to a great extent, prevent the exercise of publican influence at elections. I agree again with the hon. and gallant Member for Renfrewshire that although it is impossible to make people sober by Act of Parliament, it is yet quite within the province of Parliament to make enactments which shall tend to improve the habits of the people. But that, of course, must be done with great care. We must be guided in all things by the past experience and the present circumstances of the country. Now, it is very long ago since I first began carefully to study this question, and, singularly enough, I began to study it in the State of Maine. I have travelled in that State when it was under the prohibitory law, and I have also seen the Prohibitory Liquor Law at work in other States of the Union—and I must candidly say, from what I saw, I cannot recommend its adoption in England. The effect in that country of attempting to do what is simply impossible—namely, the total prevention of the sale of liquor—is very visible and very lamentable. The Americans, on the other hand, have tried free-trade in liquors, but have found the results even worse than those of the Maine Law; and thus we are driven to the conclusion that the medium course is the wise one, and that a great deal of good may be done by a careful system of licensing restriction. There are people who say—and the doctrine is becoming more and more talked about—that the number of public-houses has nothing to do with the amount of drunkenness. I cannot say I agree with that conclusion; and, moreover, the weight of testimony is against it. All my sympathies are with the Bill of the hon. Member for Fifeshire, and I wish I could entirely support it; but a careful consideration of its details leads me to doubt the wisdom of his procedure at the present time. Last year we passed an Act constituting an entirely new licensing authority all over Scotland, and it was passed, not by narrow majorities, but with the consent of both parties in this House, and which was agreed to by persons holding all sorts of opinions as to the remedies that should be employed. For the very reason that the present Act was passed with such general assent, we may look forward to its producing beneficial results. I think that a great deal yet remains to be done; but I agree with my hon. Friend the Member for Fifeshire that before we attempt anything else we should wait to see how the present law operates. But my objection does not end here; I am afraid that the proposed law would have a tendency to create vested interests, and I have a perfect horror of vested interests in this matter of the liquor trade, because they have already been the obstacles in the way of all measures tending to the good of the country. The hon. and gallant Member for Renfrewshire, in his interesting speech, did not really touch the principles of this Bill; and the hon. Member for Kirkcudbright (Mr. Maitland), in seconding the Motion for the second reading, actually said he did not agree with some of the provisions of the measure. It was said that under the Bill public-houses would be greatly reduced, and would be placed under proper restrictions. Now, I must confess that I do not like this system of referring everything to the votes of a majority. I do not think that we ought to take the vote of the inhabitants of a district as to the establishment of a particular public-house. I believe that such a system would give rise to canvassing and to much quarrelling, and to the improper exercise of influence on both sides; and this, as it appears to me, would be most dangerous to the local good government of the country. It is also proposed that grocers should not be permitted to sell liquor in smaller quantities than a quart bottle; and I have no doubt that a great deal may be said in favour of a change in this respect. In my younger days, when, probably, I was as enthusiastic as the hon. Member for Fifeshire now is, I drew up a Bill with this very object, but, being a little cautious, I took care to read all the evidence that could be found on the subject before even laying it upon the Table of the House. Now, I cannot quite agree with the hon. Member for Kirkcudbright that there is an absolute concurrence of opinion as to the evil done by the sale of liquor in grocers' shops. On the contrary, the more I have looked into this part of the subject the more evidence I found to strengthen the opposite conclusion. No doubt there are evils—very great evils—in the present system; but we have reason to believe that those evils are diminishing, and that the temptations offered by grocers' shops are not so strong as they are described to be. But on this I agree—that we want information before we commit ourselves to any legislation on this matter. There is one great danger which we must keep in view: if you alter the law you may attract to the public-houses, where liquor is sold on the premises, those women and servants and young people who now get their liquor from grocers' shops. I hope my hon. Friend the Member for Fifeshire will not press his Bill in its present form—not that I have any sympathy with those who are opposed to any legislation at all; on the contrary—and I wish the Home Secretary would make a note of this—I believe that the time has come in Scotland for another step in advance in this question. Public opinion has been maturing very rapidly on this subject of late. The present Act in force there has proved so beneficial in its operation that no Scotch Member has ventured to propose any amendment or alteration in a retrograde sense; and, moreover, the working classes are now prepared to accept some further restrictions as to hours. The old hours of labour have been abridged, and in many cases the labour itself is not so excessive as it used to be, and the working classes have derived great advantages, physical and moral, from the operation of the present law. There was at one time no greater curse in Scotland than the morning dram of whisky; but that has been in a great measure abolished by the regulation which does not permit public-houses to open before 8 A.M. I would suggest whether it is not worth consideration that some investigation should be made for the purpose of testing the opinion of the people of Scotland as to taking another step in advance in the way of restricting the hours of sale. The Government, I think, after seeing how the new Licensing Authority works, would do well to consider whether by the appointment of a Select Committee or a Royal Commission they should not test the opinion of the people of Scotland in favour of still further restrictions. I am not, as I have said, strongly opposed to the Bill, and if an investigation be entered upon, it should be under the authority of the Secretary of State.

Sir HENRY SELWIN-IBBETSON: I do not propose to contest the principle laid down by the hon. and gallant Member for Renfrewshire (Colonel Mure), and repeated by the right hon. Member for Montrose (Mr. Baxter), that we are bound to endeavour, as far as we can, to restrict by Act of Parliament so great an injury to the country as the drunkenness that is acknowledged to prevail. But, Sir, I will point out to the hon. and gallant Member that what he has quoted with regard to the Factory Acts, and our having taken steps already to limit the action of people under those Acts for the benefit of the women and children in the country, is exactly the system with which we have proceeded in treating the licensing question. Taking the licensing trade out of all other trades, because we feel that it is capable of being injurious to the people, we have said that therefore it requires regulations and restrictions of a very severe kind; and the character of the whole legislation dealing with this question in the past has been to strengthen those restrictions, in order, if possible, from them to produce the results we all desire to bring about. I do not wish to rely upon the evidence of statistics as to the relation between the increase in the number of public-houses and the increase of drunkenness, for so much must be eliminated from the consideration of the question, and so much depends upon the character of a district, upon the nature of the employment and the amount of wages, that it is utterly impossible upon figures, showing so many houses and so many convictions, to come to any conclusion as to the relative connection of the one with the other. But with regard to this Bill of the hon. Member for Fifeshire (Sir Robert Anstruther), he will remember, as I do, that in the measure he introduced to the House last year there were some points to which, from my own previous convictions on the subject, I gave a hearty concurrence. Ever since, for instance, I took an interest in the subject I have said that I believed that the permissive sale of spirits by grocers throughout the country was one which affected prejudicially our licensing system, and I said that, on the ground which I have always maintained, that the number of people who formerly went to public-houses to procure this sort of intoxicating liquor has been marvellously increased through the facilities that were offered to them when they went out to make their purchases. I never can believe but that when people go out for the legitimate purpose of buying tea, coffee, or other groceries, and have spirits put before them, and if they are, as we are so often told, offered these spirits and have them pressed upon them by the shopkeepers, it must tend very much to increase drinking in private houses. And if we turn to the question of Scotland I think the argument is even stronger, because there the law allows the grocer to sell by glasses instead of in closed bottles. It is quite true that the law provides that the liquor so sold shall not be consumed on the premises; but will any hon. Member tell me that that is a law which is absolutely carried out, or that the facilities for pressing a glass upon the customer and consuming it in secret in the shop is not by far more frequent than the drinking carried on in other places? I believe myself—and I am only speaking my own individual feeling on this question—that the system of spirit selling by grocers has been prejudicial to the domestic history of that country. I believe a part of the grocers' licensing system introduced in this country—that is, the sale of light wine and beer inclosed in vessels—may not be so prejudicial; and perhaps even the spirits sold in bottles, as proposed in this Bill, might not be so prejudicial; but that is not what I, speaking for myself alone, should like to see carried out. But having said thus much on my own account with regard to a subject in which I have taken the greatest interest, and on which I really believe the question of repression of drunkenness very much hinges, I will only say further that, as long as the law remains as it is, no restrictions will enable you to diminish, as you would like, the number of licensed houses in the country, for, in fact, grocers' shops would practically take the place of public-houses. As soon as you reduce the number of public-houses the grocers will spring up and take their places, and they can obtain their licence on easier terms than the publican can. They have to fulfil certain conditions as to character and the rateable value of their houses, and on those conditions being fulfilled the grant of a licence is unconditional and absolute. Consequently the grocer, as long as he remains a seller of spirits, will take the place of a public-house wherever you reduce the number in a district. But agreeing with the hon. Baronet as I do in his efforts at least to diminish the sale of spirits by a class of traders who I do not think ought to be entrusted with the sale of this particular article, there are clauses and parts of his Bill to which, as he is quite aware, I have before objected, and to which I must allude. The clause, which would enforce in all districts a limit of houses to the population has always, as he is aware, met with opposition from me. I oppose that clause because I believe it would be perfectly unworkable. I believe by it you never can test in any way the proper amount of accommodation required in a district; and I will mention to the House one or two cases which I think bear that out. The case of Brighton in this country is one in which, if you limited the number of houses to the absolute population belonging to the town itself, the accommodation would be utterly inadequate to the amount required for the enormous mass of people who flow into that town during certain seasons of the year. The same may be said of almost every watering place in this country. But taking the other side, and looking at the number of places which would be absolutely prevented having any house at all if the proposed limit of houses to population was agreed to: take the case of Pitlochrie, in Scotland, where the population amounts to only about 200 people, and yet during two or three months in the summer that population is swollen to about 2,000. Or take the case of Bolton Abbey in England. At some periods of the year there are hardly any residents there at all—certainly not more than 200—and yet at certain times the influx of people there is so great that it would be impossible to limit the number of houses to population in the way the hon. Baronet has proposed. But I have, as the right hon. Gentleman the Member for Montrose has also stated—I have the strongest possible objection to another clause in the Bill, and that is the clause which will make it necessary that the consent of a majority of the people within a given distance should be obtained before a house could obtain a licence. Sir, I believe that clause to be fraught with every possible inconvenience. In the first place, who is to decide by whom the 500 yards are to be fixed? How would you arrive at the conclusion that a man who lived just outside that distance had not a far greater interest for or against a publichouse being opened than anyone living within the 500 yards? But the particular ground on which I object to it is that it would lead to every sort of corruption. The parties *pro* and *con.* the application for a publichouse would be working these inhabitants, bribing them, and doing everything to foment discord amongst them before the case came to be heard by the magistrates. These people have at the present moment power to take the necessary steps to oppose the granting of licences. Our existing law says that any inhabitant is to be heard before the justices, and memorials presented to the justices will be considered on their merits; so that the inhabitants have the opportunity of stating their case, and, if they can prove it, of getting a licence refused. Now, it has been said that the Act which was passed last year is a reason for staying legislation on the present occasion; and to a certain extent I agree with that. I must, however, point out that that Act does not go so far as the right hon. Gentleman the Member for Montrose imagines; because what that Act really set up was, as he says, a new licensing authority; and it made that licensing authority subject to the approval of a Licensing Committee, similar to the English system under the Act of 1874. But the weak part is, as I have pointed out, with regard to the grocers' licences proposed to be dealt with. Those grocers' licences are practically outside the Bill of last year. They are, from the conditions on which they must be granted, in England as well as in Scotland, practically outside the jurisdiction of the magistrates for any beneficial purpose of restriction; and, therefore, I do not believe that the measure of last year really affects this question as much as the right hon. Gentleman the Member for Montrose seems to suppose. At the same time, I admit there is much force in what has fallen from him with regard to the necessity for more time. Last year I pointed out to the hon. Baronet (Sir Robert Anstruther) that he had made this proposal without placing before the House any facts with regard to the allegations about drinking in grocers' houses. I myself, having strong feelings on this question, have endeavoured to collect evidence upon it; but numerous as the statements of the evils are, I have never been able to get any practical cases brought before me. I am aware of the difficulty of getting such practical cases, and, if anything, those difficulties strengthen the argument which has been used, that some further inquiry by proper authority should take place in order to test those allegations. Individually, my feelings are strongly in favour of portions of the Bill of the hon. Baronet; but it contains so many clauses to which I should certainly give my strongest opposition that it would limit the Bill almost to Clause 5, which relates to grocers' licences, and under those circumstances I think the hon. Baronet would exercise a wise discretion in not forcing it upon the House without a little more information than we at present possess with regard to what I believe to be the strongest part of his Bill.

MR. M'LAREN: My hon. Friend the Member for Peebles (Sir Graham Montgomery) began by urging the necessity of additional information, and that has been conditionally assented to by the Under Secretary of State for the Home Department. Now, I never object to inquiry on any subject, and I should be delighted to get more information than we now possess; but I believe there is a great deal of information within our reach if we only take the trouble to look at it. There is a most interesting and instructive little book that came out within the last fortnight, called the *Report of the Inland Revenue Commissioners*, and I would urge hon. Members who want information on this subject to take up that book, and spend half-an-hour in skimming the pages that refer to the consumption of spirits—and let me tell them, as an inducement to do so, that they will not find it all dry reading. The Commissioners have been unusually particular in analyzing the consumption of spirits, not merely in the United Kingdom, but in the several portions of the Kingdom, and comparing them. I think the great cause of lamentation is that the quantity consumed, both of beer and spirits, has gone on annually increasing—not merely in proportion to the population, but far beyond it. Sir, this little book gives the consumption of beer per inhabitant of the United Kingdom 10 years ago, as compared with the present time. Ten years ago it was 29 gallons per individual, and it is now 35 gallons. I do not speak alone of male adult persons—I include every child at the breast, as well as the most aged toper in the Kingdom. Every man, woman, and child is included. The consumption of spirits 10 years ago was less than one gallon per head—the actual quantity was ·963 of a gallon. Now the quantity consumed is nearly 1 and a-third of a gallon per head (1·289). That is a very great increase of consumption, and something ought to be done to try to check it. If you look at the analysis, you will find that in England the quantity consumed is 1⅛ gallon per head; in Scotland, 2 and rather more than a-third per head; while Ireland consumes 1 and rather more than a-third per head. You will see that my countrymen evidently come in for a great deal of blame for the consumption of ardent spirits. But if you look at the column of beer, you will find the tables turned, and proof indubitable that the consumption of alcohol—including that in the beer—is much greater in England than in either Scotland or Ireland. Ten years ago the consumption was 37 gallons per head in England, and it is now upwards of 43 gallons. Now, Scotland consumes in the shape of beer only 12 gallons a-head, and Ireland 14 gallons per head. And the consumption of beer in Scotland has decreased from 13 gallons to 12 gallons; but in Ireland it has nearly doubled, having 10 years ago been only 7¾ gallons. With regard to the subject of illicit distillation, of course the more of it that goes on the more do the parties carrying it on drink, though they seem to drink less. The only difference is, that a large quantity of the whisky drunk has not paid duty. I find that the detections in England, as stated by the Commissioners, were only 8, in Scotland 1, and in Ireland 796. I think you may take one case of detection to represent ten cases of illicit distillation; and though Ireland seems to consume a great deal less whisky than Scotland, yet it by no means follows that Ireland does not drink much whisky without paying duty for it. Now, a great deal has been said about the grocers' licences, and it has been assumed that all grocers are against the restrictions proposed in the Bill of the hon. Member for Fifeshire; but such is by no means the case. Two years ago I presented a Petition agreed to at a meeting of the most respectable grocers of Edinburgh, signed, I think, by some 80 or 90 petitioners, who prayed that the separation of the two trades might be entire and complete. I have just one word to say further, and that is about the cost of licences. I am sorry the right hon. Gentleman the Chancellor of the Exchequer is not present—but perhaps some little bird may give a hint to him which will be worthy of his consideration. Sir, when the Forbes-Mackenzie Act was passed, Mr. Wilson, the then Secretary to the Treasury, introduced a new schedule, and said that it was intended to make it apply to England and Ireland in the succeeding Session. But to this day nothing has been done in this direction, and I will show you the injustice that now exists. A licensed house of £10 rated in England and Ireland pays £2 4*s.* 1*d.*; in Scotland it pays £4 4*s.* A house from £20 to £25 in England and Ireland pays £6 12*s.* 3*d.*; in Scotland, £9 9*s.* A house at from £30 to £40 pays here and in Ireland £8 16*s.* 4*d.*, in Scotland £10 10*s.*, and while rating is the rule in the sister Kingdoms, the real rent is taken in Scotland—thus increasing the injustice. Scotland has been made the subject of an experiment, which has answered tolerably well—that is to say, there has been no grumbling about it—but I expect that is because it is not known how the publicans in England and Ireland are favoured. The hint that I would give to the Chancellor of the Exchequer is that equal justice should be done in all parts of Her Majesty's dominions. There should be no fiscal law saying that the Scotchman shall pay so much and the Englishman and the Irishmen so much. They ought to pay the same, and I would point out by this equalization an increased revenue of £1,750,000 might accrue to the revenue of the country. But I will go further. A house that would be worth £2,000 without a licence would be worth £3,000 with a licence, and in many parts of the Kingdom the value would be doubled. The State, in effect, through the Licensing Authorities, gives a bounty of £1,000 or more to the owner when they give his house a licence, and I think the State is entitled to take something in return for that present—they should not merely levy a licence duty on the seller of beer and spirits, but they might demand a still larger payment from the owner, the value of whose property they have enhanced 50 per cent. I was much surprised to hear an hon. Member say he did not believe that grocers' licences materially conduced to the increase of drunkenness. If the hon. Member had inquired into the operation of the system in the poorer neighbourhoods, he would have found that every additional licence granted becomes a mission station for promoting evil of every kind. Everyone who starts in this line tries to create a business for his shop, and there is not the slightest doubt that the licensing of grocers greatly tends to increase drunkenness. For the reasons I have stated, Sir, I approve of the Bill of the hon. Baronet, but I shall be quite prepared to see some of the Amendments which have been suggested adopted in Committee, and some of the clauses left out. I hope, however, that the clause which relates to grocers' licences will not be objected to by Her Majesty's Government, as being, in my humble opinion, of inestimable value.

SIR WILLIAM CUNINGHAME said, he would not detain the House at any length, but he wished particularly to call attention to the fact that while the hon. Member for Peebles (Sir Graham Montgomery) thought it desirable that further information should be obtained before the House embarked in legislation with respect to grocers' licences, the interesting statistics which had been quoted by the hon. Member for Edinburgh (Mr. M'Laren) did not bear at all on that question, but merely showed to what extent the consumption of spirituous liquors had increased in late years. While, like the hon. Member for Peebles and the right hon. Member for Montrose, he objected to that part of the Bill which dealt with grocers' licences, he approved of the measure as a whole, and would vote in its favour. The clause bearing upon grocers' licences he considered to be merely one of detail, which could be amended in Committee. He approved of the Bill, because he considered it an assertion of the principle that the number of public-houses through the country ought to be decreased, and it appeared to him that the only plan for carrying out that object was the one recommended by the hon. Baronet the Member for Fifeshire. He thought it would be an immense advantage to have the number of public-houses diminished, and that not only would it tend to reduce drunkenness but it would be for the advantage of publicans themselves; because if some of the houses were closed, the trade of the remaining houses would be increased; and thus the better class of publicans would be able to improve their houses, and would not be so likely to fall into the temptation of providing bad liquor and allowing irregularities. That appeared to him to be a strong argument in favour of the Bill. He would not dwell much on the temperance part of the question, because he very much doubted whether the decrease of drunkenness brought about by diminishing the number of the public-houses would be as great as the author of the Bill imagined; but he thought the advantage derived from reducing the number of public-houses would be so great that he should support the Bill merely on that account, and he thought that when some amendment had been made in the scale as to the proportion of public-houses to the population, the measure would be a very good one. It was obvious that the scale must be altered, because one scale would clearly not be suitable for the whole country. In rural districts, for instance, the scale proposed by the hon. Baronet would create a monopoly which certainly would not be to the advantage of the consumer. With regard to grocers' licences, the same advantage was not likely to result as in the case of public-houses. If they diminished the number of grocers' licences, it by no means followed that the quantity of liquor sold by the grocers would be decreased. People did not send to the grocers for liquor by accident. In many cases reducing the number of those licences, so far from being an advantage, would be a great disadvantage, as women and children sent out at night to get spirits might have to go considerable distances in order to obtain it. A great deal might be said in favour of taking away grocers' licences altogether. He thought the granting of them originally was a mistake; but it had been done, and it was questionable whether it could be undone; because, although it might be denied by some that there were vested interests in the matter, he did not believe that the House generally would take that view. He should be glad to see the hon. Baronet drop the grocers out of the Bill altogether, for it did not seem to him that the two trades were at all on the same lines. He certainly agreed with the hon. Member for Peebles that Parliament ought not to legislate until abuses were really proved to exist. When the Bill was in Committee he should propose an Amendment with regard to grocers' licences. On the grounds he had stated he should vote for the second reading of the Bill, believing that if it was amended in Committee in the direction he had indicated it would be a useful measure.

Viscount MACDUFF said, that if his hon. Friend the Member for Fifeshire (Sir Robert Anstruther), who had introduced this Bill, intended to go to a division, he regretted that he should not be able to give him his vote; for although he would yield to no man in his desire to further the cause of temperance, he could not see that that object would be obtained by this Bill. The limitation of licences to an arbitrary number of the population seemed to him to be a principle which would be more fruitful of discord than productive of temperance. He thought that the framers of the 3rd clause could hardly have thoroughly considered the power of local influence in small towns; for it seemed to him that that clause contained a principle which would keep small places in an eternal tempest. Each district would witness the constant struggle of would-be publicans, and clever canvassers in their employ would demoralise the place in their ceaseless intrigues to mould the opinions of the community. In a word, the Bill seemed to him to be an attempt to introduce into Scotland, under a faint disguise, the Permissive Bill, which, in spite of able advocacy, had always been defeated by large majorities in that House. If the hon. Members who promoted this Bill were in favour of that principle, why should they introduce it by a side-wind into Scotland, when they would have full opportunities of supporting the Permissive Bill itself, the gist of which was so well known to the country? As to grocers' licences, he was bound to confess that the 5th clause would be productive of good results, and it would assimilate the law to that of England—the present undesirable practice on the part of every small grocer retailing spirits would be done away with, thereby putting an end to some of the sources of drunkenness which now prevailed. But why, to secure this alteration—which, after all, was little more than a police arrangement — introduce a principle which, he ventured to think, could never be found to work? If his hon. Friend had confined his efforts to prevent grocers from retailing spirits in small quantities, he should have willingly given him his support. He believed that a certain number of Petitions had reached that House, and he had himself presented two in favour of the Bill; but they had chiefly emanated from excellent and earnest reformers, whose efforts to promote their good work led them so far that they sometimes failed to consider the practical difficulties in the way of carrying their principles into law. Some had even said to him—"Never mind what principle is introduced, but vote for any Bill which is a protest against drinking." He thought that a most astounding doctrine, and although it might have been a very convenient one for the supporters of the startling proposals of last night, it was one to which he, for one, could not subscribe. But he was well aware that in many parts of Scotland this question had excited a good deal of interest; and therefore he would not by recording his vote against the Bill stand in the way of his hon. Friend's efforts to improve their licensing laws, if he saw his way towards doing so. His hon. Friend's object was one with which he greatly sympathized; but his means, he feared, were powerless to attain it, and to some extent they were objectionable. Therefore, at the present stage of the question, which he had always thought to be one surrounded with the greatest difficulty, if his hon. Friend pressed his Bill to a division, he should not take part in it.

MR. ORR EWING: Were this not a very grave subject it would be somewhat amusing to watch the course of well-intentioned people who bring in Bill after Bill, year after year, for regulating the habits as to drink of the lower classes of Scotland. We have had four Acts of Parliament passed from the year 1828 up to 1876. A very good measure was passed last Session by the senior Member for Glasgow (Dr. Cameron), but during that time I presume I do not exaggerate when I say that we might multiply that number by a hundred to represent the Bills brought in. What has been the result? Total failures. We were informed last night by the junior Member for Birmingham (Mr. Chamberlain) that the consumption of spirituous liquors had increased by 40 per cent in the last 15 years; and in a paper which has been put into the hands of Members a similar statement is made. But, Sir, these attempts at legislation are not confined to this century, for we find that they have been going on for the last three centuries. Is it not strange that these well-intentioned people, knowing these facts, will not re-consider their line of action and their policy, admit that what they have hitherto done has been a total failure, and ask themselves the cause? The cause, Sir, is not difficult to find. The cause is that it is impossible by Act of Parliament to make a people either sober, virtuous, or religious. The only kind of legislation which would effect that purpose would be an Act which would prohibit the manufacture of spirituous liquors altogether, and stop their importation. But no hon. Member has ever thought of attempting to pass a measure such as that. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) acts upon a different principle. We know that in his own social life he consistently acts the self-denying part, and takes nothing himself; but I do not think I am committing any breach of social etiquette when I say that I believe at no table in this great city shall you find wine of every sort in greater abundance or of better quality. When I look across the House at the benign countenance of the right hon. the senior Member for Birmingham (Mr. Bright), who stated in this House that the corks were never out of his bottles, and see his ruddy cheeks and remember the noble sport to which he is so much addicted, I sometimes question to myself when he has landed a noble salmon from one of the beautiful rivers in our romantic glens, whether when he hands out to his gillies that without which they could not exist, he does not also, to warm his blood and nerve his hand for the next noble fish, also take a little drop himself of our national drink. I should like to ask, as a representation has been made that drunkenness has increased in Scotland, whether drunkenness has increased in Scotland with the increased consumption of spirits, wine, and beer? The statistics show that the consumption has slightly increased, allowing for the increase in the population; but I must remind the House that until the last 30 or 40 years illicit distillation was carried on to an enormous extent in Scotland, and therefore you cannot with any accuracy compare the statistics as to the consumption of spirits in Scotland then and now. I would like to ask whether the consumption of spirits has increased in anything like a proportion with the increase in other luxuries of life—such, for instance, as tea and sugar. I do not think it has. The consumption of tea in 1845, when our beneficent policy of Free-trade commenced, was 1½ lb per head of the population; it is now 4½ lb —an increase of 300 per cent. The consumption of sugar, again, has increased since 1845 from 19 lb to 65 lb now—or nearly 400 per cent increase. Thus the increase in the consumption of spirituous liquors is not at all in proportion to the increase in the consumption of these and other luxuries. While we have increased the consumption, however, there has not been an increase in drunkenness, for the increase has legitimately arisen from the greater wealth enjoyed by all classes of society. I believe that drunkenness has greatly decreased in Scotland, but the consumption has nevertheless increased —and it is because the people are living more generously. They take spirits more regularly and have a small quantity in each day, instead of taking large quantities at times as they used to do. It is said that in the society of the upper and middle classes now-a-days you rarely see a drunken man. It is very true; but I question much whether the consumption of spirituous liquors by the upper and middle classes has not increased beyond that of the working classes. Our forefathers had not the opportunity for the frequent social intercourse that we have, and this explains the change. We now have social meetings every day, instead of as formerly once or twice a-month; and I believe that the working classes, under the influence of their excellent temperance societies and the Good Templars, are greatly improving in their habits, and will continue to improve. This I know as concerns my own workpeople—that when I began business there was seldom for a day or two after pay-day that we were not troubled by people who were so drunk that they were unfit for work. At the present moment the thing is of the rarest occurrence, and I think you may judge from my experience that the habits of the working classes are greatly improved. The only part of the Bill of my hon. Friend of which I approve is the 5th clause, which I certainly think would be an improvement on our present system of grocers' licences. I highly approve of those licences, and think they are the least offensive kind of licences we can have; but I think it is objectionable that they should have power to sell spirits openly, for they may be tempted by a good customer coming in to sell spirits over the counter, and so to break the law. Very frequently, I know, grocers lose their licences in that way, and therefore I am of opinion that no grocer should be allowed to sell spirits, wine, or beer, except in bottles, sealed. I rather differ with the hon. Baronet (Sir Robert Anstruther) as to limiting it to so large a quantity as one-sixth of a gallon. I think it should be one-twelfth of a gallon, and if he will do that I will support that part of his Bill. I cannot support any other part of it. At one time I was of opinion that licences should be restricted to some such number as that he stated—of one in 500. But my experience in the burgh of Dumbarton has changed that. There they have an energetic body of magistrates, and they not only confine the public-houses to one in 500, but have also induced the publicans of that ancient burgh to close at 10 o'clock. What was the result? Was there any good result at all? Not at all. I believe that the drunkenness of that burgh is as great as ever it was—I believe that it is perhaps one of the most dissipated burghs we have in the West of Scotland. Our experience there only shows how difficult it is to restrain people's habits. I read an account of the last meeting of magistrates for granting licences. I was amused and struck by the remarks of the Baillies in giving them. They complimented the publicans on the honest way in which they had fulfilled their promise to shut at 10 o'clock—an hour earlier than the time to which the law allows them to keep open. But they said—"We highly disapprove the custom of giving out bottles of whisky just as 10 o'clock strikes. The consequence is that the people drink the whisky in the streets, or in their own homes, instead of in your houses, and we have greater disturbances than we had before." This shows you cannot restrain people by legislation if they have the desire. I would like to ask the hon. Baronet whether he was not greatly struck with the observation of the junior Member for Birmingham (Mr. Chamberlain) in giving his statistics last night, that in Birmingham there was a licence for every 40 people. Does he not think his proposal too great a difference between England and Scotland?

Sir ROBERT ANSTRUTHER: I beg the hon. Member's pardon. He has made a mistake. I think the hon. Member said one house in 40.

Mr. ORR EWING: Well, I understood it was one in 40 persons. From the statement placed in our hands, we find the number of licences given to the principal towns in Scotland is one in 175, one in 244, one in 231, one in 252. Has the hon. Gentleman any information as to the sobriety of these four towns? Is Dundee, the lowest, more sober than Aberdeen, with one licence to every 175 inhabitants, or Glasgow, or Edinburgh?

I question it very much indeed. Does he think that restricting a licence to one in 500 will have any effect on people if he leaves us any public-house at all? Would it be likely to make any alteration in the habits of the people? I think it is perfectly fallacious to suppose so. I have no objection to restriction, but I would not place it at one in 500. In towns, instead of having more licences, I think there should be fewer, because there people can easily get what they want; but in the country one in 500 would not do. You might go 20 miles in Argyllshire without finding that number of people. For my part, I think it would be a very good thing if you could abolish them altogether. But, at the same time, so long as you have them, you cannot restrain the people. In face of the statistics we have heard quoted, I would be inclined to support any Bill which would improve the state of matters; and if I thought this Bill would do this in the slightest degree, it should have my hearty vote; but such is not my opinion. Anyone who heard the eloquent speech of the hon. Member for Birmingham last night, and the picture he drew of the industrial classes in that town, must have felt an anxious desire to do anything to remedy that fearful state of things. But while I do not believe the remedy is to be found in Acts of Parliament, I believe we shall do what we wish by moral persuasion. I have the greatest confidence in the influence of temperance societies, of Good Templars, of the pulpit, and of schools—not schools from which the Bible is banished, but schools in which religious teaching is given—schools which make the Bible the Book of Books and the foundation of conduct. I believe that as a nation cannot make itself free without itself striking the blow, so neither can a people become sober or virtuous except by being instructed in their youth in those great principles of self-denial, of temperance, of faith, hope, and charity, which are to be found in that Book, and which I am sorry to say the School Board of Birmingham have excluded from their schools.

MR. ANDERSON: I hope the admirable suggestion made by my hon. Friend the Member for Edinburgh will not be lost upon the Lord Advocate or the Home Secretary. As to the equalizing of the excise duties between the three countries, the injustice is even greater than as stated by my hon. Friend, because, while in Scotland the charge is upon real rents, in England and Ireland it is upon the valued or rate rent. The Lord Advocate told us the other day we had nothing to complain of in Scotland; but we do make complaints, and I would like to impress upon him that our complaint is not entirely of want of legislation, it is also on account of the unfair discrepancies in taxes and in many other matters. We have never had a Lord Advocate who has had sufficient influence or ability to be able to save us from these things, and the present Lord Advocate has a great opportunity before him, if he will take up this matter. This is by no means the only one, for there are many others in which Scotland is unfairly dealt with, both in the money taken from her in taxation, and in the money given back. I think it quite idle to say anything to the House about the evils of drunkenness, but when my hon. Friend the Member for Renfrewshire described them in glowing terms, and concluded by recommending this Bill, I am bound to say that I thought it a most impotent conclusion, as the Bill is not of such a character as would be likely to do any great amount of good. When the hon. Member for Fifeshire introduced the Bill a few years ago it was really a good Bill, and I was willing to support it at that time. The principal part of that Bill contained proposals similar to those which we were discussing last night, but since then the hon. Baronet has eliminated all the best part of his Bill, and it comes before us now as it did last year, as a very poor and small measure; and I suppose he was deterred from including in his Bill the Gothenburg plan for the same reasons that the hon. Member for Birmingham explained last night, when he said he believed that we Scotch were so deeply interested in proposals of our own that we would not be reformed except by plans of our own. But as regards the Gothenburg plan, I believe it would be far easier in Scotland than in England, because in Scotland the licence is a personal matter to the man who holds it, and therefore he only has a vested interest; but in England you have not only the holder of that licence but the brewer, who is the real proprietor, and the licence appertains not to the individual, but to the house itself, and therefore the vested interest is more complete. That makes the question much more difficult to deal with in England. We in Scotland can deal with it with much greater facility, and I believe the people of Scotland are more nearly ready for its adoption than the people of England are. This Bill proposes to reduce licences to one in every 500 of the population. If that be a good thing at all it is clearly a thing for local regulation, and it is not a thing which can be put in an Act of Parliament to apply to the whole country equally, because what suits one place will not suit every other. But I doubt whether it is a good thing, because the effect of it will be to create a more strong and a more wealthy vested interest than that which exists, and therefore an interest which will be found more difficult ultimately to deal with. It works in a way which is most prejudicial to the communities. If you take two houses absolutely equal in building cost, and give one a licence while the other has none, the one is worth about twice as much as the other. Why should a man, merely because he owns a house where drink is sold, have his property made infinitely more valuable by a State-created monopoly than that of a man who owns a grocer's, tailor's, or any other shop? I say that when the State creates a monopoly of this sort, the State should secure for the people of the country the benefits of that monopoly, and should not give it to any individual whatever. It is for that reason that I approve of the Gothenburg system more than any other proposal that has been suggested. As regards municipalities in Scotland, this regulation as to one in every 500 of the population is absolutely unnecessary, because the Bill passed last year really gives the whole power of licensing into the hands of the electors; and all the electors have to do is to elect town councillors, who would elect magistrates, who would give them as few licences as they want. If, therefore, there is any need at all, it can only be in the counties, where the magistrates are not elected. Then, with regard to the restrictions of the 5th clause, about grocers selling smaller quantities than one quart, the effect of limiting the quantity to that amount will either be to compel poor people to buy a much larger quantity than they need, and keep it open in their houses, or it will compel them to send their children or wives to public-houses to get drink when they wanted only small quantities. There is something good in the proposal, and if the hon. Member would limit it to a bottle, without naming any size, the difficulty and expense of bottling would, I think, be a sufficient check upon the quantity sold, and upon tippling in the shop. The small bottles, such as are used regularly at railway refreshment-rooms, should not be prohibited. A good deal has been said about the statistics of drunkenness; they are utterly worthless as regards the comparison of two different places, because they depend entirely upon the instructions given to the police in those places. I should like to tell the Home Secretary something that came under my notice in London three weeks ago. I was walking along Victoria Street and saw a woman so helplessly drunk that she could not walk. She fell down within 20 yards of a policeman, and became very violent and troublesome. The policeman never looked at her, and when I appealed to him and to another policeman, he said his orders were never to interfere with people who were merely drunk. In Glasgow or anywhere in Scotland the persons would have been taken to the station-house, and would have appeared in the statistics among the drunk and incapable, and that is how the statistics are made up. Here in London, by giving orders to the police to ignore all these cases, you may make your City appear beautifully virtuous and sober; whereas in Scotland, where all drunken persons are taken up, the statistics make it appear really worse than we are. I think there is something to be said about the restriction of hours and the necessity of further inquiry. I think it is possible that the people of Scotland are now ripe for some further restriction of hours, and if the Government would make some inquiry into that, and also into the effect of the grocers' licences, I think some good might be done. I have very little doubt myself that, at least in many parts of Scotland, it would be found that the people approved of a further limitation of hours, and that that would do some practical good; but I see no practical good in this Bill, and therefore I feel bound to oppose it.

SIR JOHN HAY: This Bill has two or three different proposals in it, and I should be glad to say two or three words in explanation of the feelings which I entertain towards it. I confess that the two propositions in the 3rd and 4th clauses appear to me to be entirely unnecessary. I object entirely to the proposition that 500 persons in the rural districts require nearly the same amount of inn accommodation as persons in a more thickly populated town, and I entirely object to leaving the number of public-houses to any popular vote. Such a law would, I think, be extremely disadvantageous to the public peace. I demur entirely to the statement that there is no improvement in the condition of Scotland as regards intemperance. I will give a little bit of evidence on the point which may perhaps present a different view of the case from that which is entertained by some hon. Members. I went to sea some 43 years ago, and of course in the early part of my service I only revisited my native country occasionally. When I went to sea every bargain in the market town was settled with a dram, and one knew pretty well who would be the worse for liquor, for it was naturally to be supposed that everybody would be so. By-and-by, when in the course of a few years I returned, it was not known who would be the worse for liquor. It was known that a number of persons would be so, but the proportion was unknown. It was an unknown quantity. Now it is again the case that, as of old, it is exactly known who will be the worse for liquor, but that is because they are merely a few recognized topers in the district who always get the worse for liquor, and who will continue to get the worse for liquor whatever regulations you impose. The character of our countrymen is traduced when it is said the condition of Scotland now is the same as it was 43 years ago, and that after all the legislation on the subject of intemperance, and the education of the people, the habits and customs of the people have not improved in that respect. I differ, therefore, from my hon. and gallant Friend the Member for Fife in regard to the 3rd and 4th clauses of his Bill. But if we come to the 5th clause, I am entirely at one with him. It may be necessary that there should be further inquiry, but I cannot conceive why the grocers' licence in Scotland should permit the sale of smaller quantities of liquor in their shops than are sold in this country. It seems to me that when a woman goes to a grocer's shop to buy her coffee, tobacco, or snuff, or whatever article she may require, it is impossible to conceive that she will not, in a large number of cases, get her discount in intoxicating liquors. I know that according to law it should not be consumed on the premises, but will any hon. Gentleman connected with Scotland tell me that it is not? Is he quite sure that the thimbleful of liquor, given as discount, is not swallowed, I will not say at the counter, but at some conceivable place, which in the conscience of the two parties may be conceived to be "not on the premises?" That I conceive to be the worst system which could be legalized for teaching many persons whom we do not want to be made drunken to go drinking at improper hours and in improper places. If the hon. Member for Fifeshire would take the 3rd and 4th clauses out of his Bill, and put it before the House with the proposal of the 5th clause pure and simple, he would have my earnest support. Perhaps the Lord Advocate will do the House the favour of instructing it as to his opinion of the best method of advancing this part of the Bill for the benefit of the country—whether by some mode of inquiry, or by introducing some specific Bill, to carry out this clause, which I believe would be to the advantage of the country. I am sorry to have interposed between the House and Scotch Members proper, who have much more right than I have to address the House on this subject; but having some experience of Scotland, I thought I might make some of these remarks with advantage.

MR. CAMPBELL-BANNERMAN said, he did not think the hon. and gallant Member who had just sat down (Sir John Hay) had any need to excuse himself for placing his valuable opinion before the House in a Scotch debate. But in what he had said, he had followed the general rule of this discussion. It must have been remarked by every one present that no one had got up in support of this Bill who did not propose to throw over at least one-half of it. Even his hon. Friend the Member for Kirkcudbrightshire (Mr. Maitland), who so clearly stated its provisions, indulged in the very faintest praise of some of the extreme provisions of the Bill, and since his speech, it must have been observed that, as a rule, so surely as a speaker was in favour of amending in some way the respecting grocers' licences, he was law against the restriction of the number of public-houses; and so surely as he was in favour of restricting public-houses, he wished the clause relating to grocers' licences left out of the Bill. Now, these were the two main provisions of the Bill. It proposed with regard to licences to suspend the granting of further licences, and it proposed to do so, as stated in the Preamble of the Bill, until further legislation was proposed on the question; but, as stated in the enacting clauses, they were to be suspended until the licences came down to a certain proportion to the inhabitants. These two views of the matter appeared to be somewhat inconsistent. With regard to a suspensory Bill, depending upon future legislation, he would say, with deference to his hon. Friend, that Parliament had not been in the habit of passing suspensory Bills unless there were some definite and precise promise or intention on the part of Government or Parliament to legislate; and that to suspend the operation of our ordinary laws in the expectation that possibly at some time or other some legislation would take place was entirely unknown in any Bill to which the assent of this House had been asked. Then the Bill more definitely proposed a rule of one licence to 500 inhabitants. Now he did not think it was necessary to add anything to what had been said on that point by his hon. Friend who spoke from the Treasury Bench (Sir Henry Selwin-Ibbetson). It was quite obvious that the circumstances of the different districts varied so much that to lay down a sort of Procrustean bed and try to fit all parts of the country to it would be a cause of great inconvenience, inequality, and injustice. Then there was great force also, he thought, in much that had been said in regard to the creation of vested interests. There was some weight also to be attributed to the fact that it would create inequality as between holders of licences. For instance, in some cases the holder of a licence would be able to dispose of the goodwill of his business, while in others, the limit having been reached, he would not be able to do so. It appeared to him there were the greatest difficulties in the way of Parliament laying down a general rule of this kind applicable to the whole of Scotland. But he could not express too strongly his own view of the general intention of the Bill. He was entirely in favour of minimizing public-houses. He thought too many facilities for drinking existed in Scotland; but at the same time he thought they ought to be judged and dealt with by local authorities — at any rate, this House should not, without hesitation and inquiry, commit itself to an arbitrary rule of this kind. Then, coming to the 5th clause, as to grocers' licences —there again, though he did not believe it had ever been definitely proved, yet knowing what human nature was, there could not be any doubt that the rules as to grocers' licences were infringed, and that this was a source of great evil in a community. He would venture to suggest to his hon. Friend, that if his Bill ever got the length of being considered in Committee, he might very well accept either the proposal of the hon. Member for Dumbartonshire (Mr. Orr Ewing) or that of the hon. Member for Glasgow (Mr. Anderson), and either substitute a pint for a quart in the "bottle clause," or simply use the words, "a sealed bottle," without determining the quantity. In that case he should think the grocers would have little to complain of. On the whole question he would like to press upon the House and the Government the expediency of the Government themselves taking up this question. They had, every year, Bills brought in by private Members. They did not agree with each other; none of them very much liked each other's Bills—but they all tended in the same direction. In fact, it was almost difficult to find a Scotch Member who had not either a Bill in his pocket or the plan of a Bill in his head. But they did not approve of each other's plans. His hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), he believed, looked with supreme pity upon this effort, and accepted the Gothenburg system only as a *pis aller;* there were others who had each a special nostrum of his own, with regard to licensing boards, and so forth. He (Mr. Campbell-Bannerman) found the great bulk of the people of Scotland were of opinion that something should be done to check drunkenness, and to limit and diminish the facilities for drinking; but with regard to those who supported particular Bills, it was to be remarked that it was always the same people who sent up Petitions to that House in favour of the Permissive Bill, the Gothenburg system, that which was known as Sir Robert Anstruther's Bill, or any other Bill on the subject of the licensing laws. It was not that they much approved of the specific provisions of the Bill, which very likely they had not read at all, but they knew it was a well-intended effort to deal with a great evil, and therefore they supported it. That being almost the universal feeling of Scotland, no one having supplied a proposal on which all could agree, and yet all of us being united in thinking that something ought to be done, was it not the proper thing to call upon the Government first of all to ascertain the facts both for themselves and for us by issuing a Royal Commission, or in some other way? His hon. Friend the Under Secretary of State concluded his speech by asking the hon. Member for Fife not to press his Bill, because they had not the necessary information; but he did not say how they were to get the information. Let the Government get the information first, which they had the means of procuring, and when they had done so, let them propose a measure justified by the results of their inquiry. Then they would be saved from the necessity of considering measures like the present, with the object of which they might greatly agree, but which did not come before them supported by the authority either of recent evidence, or of the opinion and judgment of the responsible Executive Government.

Mr. DALRYMPLE: As I introduced this Bill to the notice of the House last Session in the absence of the hon. Member for Fifeshire (Sir Robert Anstruther), I beg to be allowed to say a few words on the present occasion. My hon. Friend who has just sat down (Mr. Campbell-Bannerman) suggests in his perplexity that the Government should legislate on this subject. That is always a safe suggestion—and it is particularly safe at the present moment, because I do not believe there is the smallest chance of Her Majesty's Government legislating upon this subject. He further suggests that there should be a Royal Commission. Inquiry is very valuable, and no doubt an investigation by a Royal Commission would be very important. But sometimes inquiry is instituted for purposes of delay, and where an evil is very great I question if inquiry is always the very best remedy. I am far from saying information is not needed on this subject; but even if it were, to judge by the speeches made to-day, there is the greatest difference of opinion upon the points upon which an inquiry is necessary. The hon. Baronet the Member for Peebles (Sir Graham Montgomery) was the first hon. Member to suggest further inquiry. He said special inquiry was needed on the subject of grocers. On the opposite side of the House no such statement has been made—in fact, it has been generally admitted that there is the greatest possible abuse in the present system with regard to grocers; and that the law is constantly evaded and broken in reference to the sale of small quantities of liquor not being consumed on the premises. From the speech of the hon. Gentleman the Under Secretary of State—the most favourable speech yet made on the Bill—and also from the speech he made last Session, I know that he is in favour of the 5th clause of the Bill. My hon. Friend the Member for Dumbartonshire (Mr. Orr Ewing) spoke of those who attempted to legislate on this question as "well-intentioned persons." He, at all events, has no sympathy with us whatever. I am the more surprised at his indifference because he mentioned that the chief town of the county which he represented was the most dissipated in the West of Scotland—a character which I for one would have hesitated to give to it. I therefore wonder all the more that he should be desirous of extinguishing the Bill before the House. I observe there is an alarming concurrence between the two front benches in opposition to this Bill. The right hon. Gentleman the Member for Montrose (Mr. Baxter) made an excellent speech upon the Bill—no one could doubt the sincerity with which he spoke on the evils of drinking; but the conclusion to which he came was exactly the conclusion which those come to who desire that nothing shall be done. The inference from his speech apparently was that he was going to vote against the Bill. I was interested in his manner of deprecating the popular veto on this subject. He especially condemned the 4th clause of the Bill, which alludes to the popular voting in opposition to licences. That was the part of his speech most applauded on the side of the House on which I sit, and I confess I am surprised at that part. I think the noble Lord who spoke afterwards (Viscount Macduff) fell into an error in attributing to that part of the Bill the character of a Permissive Bill. There is a manifest difference between the propositions of this Bill and the Permissive Bill, inasmuch as this Bill only deals with the creation of new licences, and it is only in regard to them that it is desired that the popular feeling should be consulted. The hon. Member for Glasgow (Mr. Anderson) threw some contempt on statistics. It is a very awkward thing when in this House statistics are lightly spoken of. At one time, when we attempt any legislation of this kind, we are told we have not sufficient information, and Returns are asked for from the Home Office. Then, when those Returns are obtained, there is doubt thrown upon them, and we are told how little such statistics are worth. It will not do so to discredit the statistics thus obtained, for we have really no other authoritative documents to appeal to. Those who are interested in the Bill have modified it from time to time by dropping out of it certain proposals in deference to the opinion of the House, without dropping out of it what we thought most valuable. The present Bill is therefore a small one, containing only principles which we think important. It is quite plain that there is a strong feeling in favour of the so-called "bottle clause," but some difficulty is felt about the reduction of licences to one in 500. The Home Secretary at the Home Office yesterday suggested a serious difficulty in reference to this clause. He stated that there must be places where the population varied very much at different times of the year. I know myself there are seaside places where the population is small in the winter and very large in the summer. I do not shrink from the difficulty the right hon. Gentleman has here pointed out, and I distinctly admit that something must be done if the Bill should ever reach Committee to meet such a case as that. The right hon. Gentleman pointed out, also, that there were small places in process of growth where, according to this arrangement, there would not be a public-house at all. I also say that something should be done to meet such a case as that. But for all that, I do not believe there is anything wrong in the principle we propose, and I know that the number 500 has not been decided upon without considerable thought, and with the view of meeting particular cases. If it is alleged that the reduction of facilities for drinking does not furnish a good result, I would ask him to consider the state of things owing to the change made in the law in Scotland with regard to Sunday. The senior Member for Glasgow (Dr. Cameron) obtained a Return last year upon this subject. Before the Forbes Mackenzie Act, Sunday was the heaviest day for crime in Scotland—it is now shown to be the lightest. In the different burghs during 1875 the total number arrested for drunkenness was 61,000. Of these arrests 38,000 were "drunk and incapable," and 23,000 were "drunk and disorderly." Of the "drunk and incapables" 1,106 were arrested on Sunday, and 37,000 odd on the other days of the week; while of the "drunk and disorderlies" 1,273 were arrested on Sunday, and on the other days 21,000. In all, 2,000 were arrested on Sunday for 58,000 on other days. These figures show that when there has been a reduction in the facilities for drinking in Scotland, a speedy and valuable result has followed. An old statement has been repeated to-day that persons are not made sober by Act of Parliament. I wish a short Act could be passed to prevent that statement being made again in this House for years to come; for I believe that well-worn statement, though a truism in one sense, is absolutely false in the sense it is intended to convey. Our difficulty is in finding a right remedy for the existing insobriety, for some part of every measure introduced on the subject is adapted to do good. If the Government would only suffer some such Bill as the present to go into Committee with the intention of dealing with it hereafter as the House might think fit, it would mitigate the evil. In the debate on the Gothenburg system last night we did not have the advantage of hearing the opinion of the Secretary of State for the Home Department. I hope that in this debate, however, we shall be favoured with it, and I hope he will be found to be as favourable to the Bill as I know the Under Secretary of State to be. There is one circumstance for which we may be thankful on the present occasion. It is that we are not dealing with a foreign country. Last night we were much occupied with the circumstances of a foreign country, and there was a very convenient Consul quoted to the House in a manner somewhat to damage the subject then before it. I am thankful to think that no convenient Consul is likely to be quoted to us to-day, and the facts of which we speak are really familiar to us all. With regard to grocers' licences, I have heard with surprise the statement of the hon. Member for Peeblesshire (Sir Graham Montgomery) that the abuses of grocers' licences were not notorious. He said that more inquiry was needed on the subject; but I hold that the fact is undeniable that there are very great abuses, so much so that I think it is rather for those who disagree with us to prove that it is not so than for us to prove that it is so. I will not detain the House longer; but I hope that we may hear the opinion of the right hon. Gentleman the Secretary of State on the subject; and I will only say further that whatever the fate of the Bill may be, I trust something will be done to encourage those who, in however inadequate a manner, have endeavoured to deal with a great evil by the work they have undertaken.

MR. LYON PLAYFAIR: The Bill before us professes merely to be a temporary remedy to some great evil. It is assumed that we cannot wait till the Legislature provides a general measure for the liquor traffic. As this is so, we ought to be told two things—first, whether there is any alarming increase in the drunkenness of Scotland which justifies a suspensory measure; and, second, we ought to have proofs that the measure proposed will inevitably lead to sobriety. The question is not new, for it has been under anxious consideration for centuries. Even Milton put it very clearly when he said—

> "Who shall be the rectors of our daily rioting? and what shall be done to inhibit the multitudes that frequent those houses where drunkenness is sold and harboured?"

Has the question advanced much further in its clearness? If it is contended that we are more drunken now than in former periods of our history, I wholly deny it. Let any hon. Member who believes this read the debates on the passing of the Gin Act in the time of George III., and they will see that the state of drunkenness was described in words which would be absurdly inapplicable to our present condition. Drunkenness is like mortality; it may be greater at one time than at another, but in the steady progress of civilization it, on the whole, largely decreases. When there has been, as lately, a sudden increase of employment and large wages, the ignorant, the improvident, and the uncultivated will go into the public-houses in time of prosperity, just as they go into the workhouses in times of adversity—but over a long period these inequalities disappear in a general lowering of the level of drunkenness. There are two ways of dealing with the state of drunkenness, which, though lessened, is still justly a scandal to our advancing civilization. The one is to remove the places of temptation; the other is to train the population to resist temptation. The hon. Baronet prefers the first plan by rather a rough-and-ready way. He refuses to grant more licences if there be already enough to give one public-house to 500 of the population, and he would even refuse this accommodation if one-half of the ratepayers in a district objected to it; so that his Bill is a Permissive Bill as well as a suspensory one. In its effects it raises important monopolies to existing public-houses, and will render it more difficult to deal with them hereafter. As a Bill giving to the ratepayers a voice in the matter, it is not required, for the Act of last year, in burghs at least, empowers ratepayers as a whole to exercise a legitimate influence over excessive licensing. As a restricting and suspensory Bill, the hon. Baronet is bound to show us that sobriety is invariably the result of restriction. I see no experience of that in comparing Scotland with England. Restriction is much greater in Scotland. The licences are more costly. There are grocers' licences in both countries, and we may leave them out of account; but, in Scotland, the public-houses are only half as numerous to the population as in England. The houses are open for fewer hours on week-days, and not at all on Sundays; and yet, with all these restrictions, Scotch drunkenness, as ascertained by the arrest of the "drunk and incapable" and the "drunk and disorderly," is about twice as great as in England. We have been going on with restrictions since 1851; but the ratio of drunkenness has increased from 1 in 104 to 1 in 64. I do not attach much value to Police Returns of drunkenness; but, cetrainly, they cannot be quoted in favour of restriction. Well, then, I cannot support this Bill. I did vote with my hon. Friend (Sir Robert Anstruther) in 1874; but then he had the Gothenburg principle as the chief feature in his Bill. I desire to see that fairly tried as an experiment, and wish to see licensed victuallers really what their name implies—obliged to sell victuals with drink; for, physiologically, drink does infinitely less harm with food than when taken alone. The most scientific and, I believe, practical principle of legislation would be to allow only malt liquors, with a small percentage of alcohol, to be sold without food, and strong liquors, when drunk on the premises, to be sold only in conjunction with food. I should like to see public-houses working men's clubs, for the refreshment and rational enjoyment of the people, as we often see on the Continent, and not mere drink-shops as in this country. But there is no such object contemplated in this Bill. I believe far more in training our population to habits of sobriety, and to resist temptations to drink, than I do in treating them as unworthy of confidence, and only fit to be goaded into soberness by Acts of Parliament. The higher classes of this country have received this training in the past two generations, and how much drunkenness has diminished among them! Their temptations have not been decreased—they have largely augmented. Clubs and hotels are open to them in large numbers; but a higher morality, combined with a public reprobation of excess, has proved the most powerful restriction. It is in improving the habits of our working classes, in raising their culture, in promoting their amusements, in elevating their occupations, that we must look for an increased sobriety among our population.

MR. MACDONALD: I should like to say a few words on this subject—particularly with respect to the 5th clause in the Bill of the hon. Member for Fifeshire. I think no one will charge me with being strongly desirous of restrictive measures. I have opposed the Bill of the hon. Member for Carlisle; last night I opposed the Motion of the hon. Member for Birmingham (Mr. Chamberlain), and very likely will again oppose the Bill of the hon. Baronet the Member for Carlisle. But while I have that feeling in regard to those measures, I do think the time has come when something should be done, particularly on the subject which is dealt with by the 5th clause of the Bill. The hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) said that we had no information on this matter. Let me tell the hon. Member that if he travelled more amongst the people of Scotland—if he visited the villages and towns of those burghs which he represents—he would easily see and learn that on this point he required very little information. The grocer's licence as it is now used, I venture to say, is the nurse of drunkenness. What is the custom? I speak not from a theoretical knowledge, but from what I have seen in the large manufacturing and mining districts. I say that the little children are sent to the grocers' shops for a small quantity of goods to blind the husband, who is busily at work; but it is not all goods that are got, but there is a little bottle conveyed in the basket, and that little bottle must be, in too many instances, filled with whisky for the use of the mother when the husband is doing his hard daily toil. The hon. Member for Glasgow (Mr. Anderson) says the quantity proposed in the Bill is too large, and the hon. Member for Stirlingshire spoke also about the quantity. What quantity would they wish to be taken into the house surreptitiously in this way? Do they want a half-ounce glass? I venture to say that the line adopted by the hon. Member for Fifeshire is the best line that could be adopted, because it would prevent the system I have referred to from being carried out in such an alarming extent. I speak from practical knowledge, and I could give not one name but several names, if desired, where it is customary in our large ironworks and coalworks to give a licence to a grocer and not a "sitting licence," as it is called in Scotland; and what goes on I have seen for myself more than once—

it is to be seen frequently. Dozens of men come out into the public roads and streets, and stand drinking on the street, and they then go back again, and in that way get themselves into a state of beastly intoxication in coming from the works. That is a condition of things arising from grocers' licences and the manner of carrying them out. There are some portions of the Bill, particularly that which embodies the permissive principle, in which I do not agree with the hon. Member for Fifeshire; but notwithstanding that, I do trust that the Bill will be sent to Committee; and if there is anything that is wanting or anything too much as to the permissive character of the Bill, or any other feature, it can easily be supplied or eliminated in Committee. As to the question of numbers, I am strongly in favour of limiting the numbers of public-houses to the number of population that is here indicated. I again speak from practical knowledge, and from what I have seen during the whole course of my life—that in many villages in Scotland, and also in England, but particularly in Scotland, these licences are granted too numerously. There is one village I know, where, I think, the population does not amount to more than 1,100, men, women, and children, and there I think there are 13 public-houses and an hotel, and in addition one or two grocers' shops. In a large town or considerable burgh I made a calculation some years ago, and I found a spirit-shop to every 59 of the entire population. I look on the provisions of the Bill as right in this respect, because licences are got by persons so numerously that those who get them have to devise means to entrap the foolish among the people, and induce them to go into those places—thereby fostering a state of things that I hold to be entirely adverse to the well-being and morality of the country. I do hope that the right hon. Gentleman the Secretary of State will agree to allow the Bill to go into Committee. As to the question of grocers' licences, anyone who is a Scotchman, and knows anything of the villages and towns of Scotland, must know that no information is needed, but that the evil is alarming, and calls for immediate treatment.

THE LORD ADVOCATE: I desire for myself to say that I am among those who are of opinion that we must look to the spread of education and to the gradual growth of a higher tone of social morality among the people of Scotland, before we shall have a complete cure of the vice of intemperance. But, on the other hand, I certainly do not belong to that class who think that those two agencies are of themselves sufficient to effect the cure. I believe that those agencies are at work, and I have greater faith than some Scotch Members who preceded me seem to have in the actual effects that have resulted from their operation. My hon. and gallant Friend the Member for Renfrewshire (Colonel Mure) has referred to the statements made by English Judges at English Assizes. I should have wished my hon. and gallant Friend had looked a little nearer home, for he would have found that on the Western Circuit, which comprises the largest and most populous district in which criminal Courts are held on circuit by our Judges, one respected Judge, Lord Young, late a Member of this House, took occasion justly to compliment the sheriffs and magistrates in attendance, on the fact that in that district and on that circuit, serious crime was decreasing in almost the same ratio as the increase of population; and I must say that it is startling to those who take opposite views on the questions raised by this Bill, to hear it accepted in many quarters as a matter of fact that owing to intemperance crime is on the increase. I do not say that statistics are infallible, and I am not maintaining that intemperance is losing ground. On that subject, in common with many others, I do not profess to be so well informed as to be able to judge conclusively as to the remedies that should be applied; but the Bill before the House, in my humble opinion, is an unsatisfactory one for two reasons. In the first place, in both parts of it, it does not profess to grapple with or sufficiently to meet the evils which are assumed to exist, and are the only warrant for the introduction of the measure. I take it that in legislation of this class nothing is of greater social importance—because this Bill fairly belongs to the class of sumptuary laws—than that public feeling should go along with legislation on the subject in debate. Unless you carry the feeling of the community with you, the result will certainly be that when you pass a law which is looked upon by some as inflicting a hardship on their class—as having been passed without due regard to their particular interests, and without a full explanation of the facts which warrant legislation—I say you will find that that law will be thwarted or defeated, and that public opinion will, in many places, aid in so thwarting and defeating it. On the other hand, if public opinion is right in this sense, that people are agreed on the facts, and that there is a general concurrence in the nature of the remedy to be adopted, the result will be what has been practically shown, I think, by the operation of the two Acts—one passed in 1853, and the other in 1862—the one called "The Forbes Mackenzie Act," the other bearing sometimes the title of "The Mure Act," which constitute at present our legislation on this important subject along with the Act of the Member for Glasgow (Dr. Cameron) of last year. These Acts were passed, I venture to say, with great unanimity on the part of the public; and not only so, but they professed to deal with the question, and afforded such remedies as the public were ready to accept, and—I speak of the great bulk of the community—honourably and fairly to carry out. I venture personally to doubt whether an Act conceived in what I venture to call the narrow spirit of this Bill will command in Scotland that general satisfaction which is absolutely required in order to give efficiency to a measure passed by the Legislature. The first part of the Bill is a temporary measure—a suspensory Bill, professedly and plainly so in its terms. Such measures are rare; but I venture to doubt whether a suspensory measure was ever proposed in this House or elsewhere with less justification. It deals with legislation for a certain period, and the effect is simply to take away from local and representative bodies the discretionary power which the Legislature has thought fit to confer on them by an Act passed last Session; and which, I may remind the House, has been amended, or is in course of being amended, by the Bill read the other day for the third time in this House, and now before the other branch of the Legislature. This Bill says it is the right and proper thing, before entering upon a more comprehensive scheme of legislation, to take away the power and discretion which were then conferred. As regards Clause 5, I personally hold views which coincide with those of many hon. Members who have spoken on this side. I certainly am of opinion that the sale of drink by licensed grocers should be placed under some restrictions, and that they should not sell in open vessels over the counter as is done in public-houses. But within these last few years the questions of the number of public-houses and that of the number of licensed grocers have become very much mixed up, and there are other grave questions connected with the latter class of dealers, and the trade of that class, which I think must be taken into account and considered in some larger measure than this professes to be. There are statements made upon one side and upon the other, and I have even known Members of Parliament representing the same constituencies, who differ entirely as to facts, and it is very painful to proceed to legislate upon such a state of circumstances. I do not propose to criticize this Bill in detail, but this I do say—that the whole of the provisions of the Bill are framed obviously with a view to legislation for our larger cities in Scotland, of which there are very few, and it entirely ignores the wants and wishes of our rural population, and not only the rural population, but that of many of our small villages, which receive in summer, I am glad to say, an ever-increasing quota from the population of the towns. I do not know that I have a right to speak of the public opinion of Scotland after the statements which have been made by so many hon. Members who have spoken in this debate; but I may state, for the information of the House, that during the Recess of Parliament I was visited by deputations who came to me on this subject of drink, and representing very important elements in the population of Scotland; and from the statements made to me in all fairness and honesty by these gentlemen, one could very easily gather that there was not that unanimity of sentiment or belief, either as to the state of matters requiring a remedy, or the remedy that was to be applied. On the 2nd of February, 1877, I was waited upon by a deputation who represented a large meeting that had been held in Edinburgh a short time before, and by a deputation from the Free Church of

Scotland, who were supported by a number of clergymen of the Established and of the United Presbyterian Churches. The representations made by that deputation were made entirely in the interest of the object which this Bill professes to aim at—namely, the suppression of the vice of intemperance. The Rev. Dr. Begg said that all of those present entirely agreed that there should be inquiry, but that they were not committed to permissive legislation, though most of them were prepared to acquiesce in it. Another, one of the most respected clergymen in the Presbyterian Church, stated his view to be that if there was to be remedial legislation there must be reliable facts in the first instance on which to base it. I venture to say that the Bodies whom these gentlemen represented are not behind any hon. Member of this House in their earnest desire to repress the evils which they allege and find are growing out of intemperance. It appeared to me that the demand for inquiry into the facts which those gentlemen made was not unreasonable; and I cannot say that my own views upon that matter have undergone any change from what I have heard since this discussion began from both sides of the House. I can only say, in conclusion, that the demand I regard not only as a reasonable one, but it is one which, so far as concerns certain provisions of this Bill, I am certainly disposed to recommend the Legislature to follow.

SIR ROBERT ANSTRUTHER: Sir, I have no reason to complain of the course which the debate has taken. Indeed, when we consider the long and ample discussion which on this side of the House was given to the Motion of my hon. Friend the Member for Birmingham last night, I think I ought to make my acknowledgments to those Gentlemen who were early in their places to-day, in order to spend four or five hours again in the discussion of a cognate question. Least of all have I reason to complain of the speech which has just been delivered by my right hon. and learned Friend the Lord Advocate. No one can say he has not approached this question with an open mind; no one can say he has not expressed himself willing to move in advance if good cause can be shown for so doing. More than that, my right hon. and learned Friend has expressed himself with regard to a very important clause of my Bill as being of the same mind as myself, and has admitted the desirableness of passing it. That concession from the Lord Advocate of Scotland is one which I may fairly congratulate myself upon having obtained. Therefore, I may save the time of the House if I assume it is admitted on both sides that the state of the law with regard to the sale of spirits by grocers in Scotland is an evil, and ought to be amended. As to the Bill itself, it has been commented on in various ways by hon. Members on both sides of the House. One hon. Member has objected to one clause and another to another; and if I had listened to the advice and suggestions of friends I should have been like the Old Man with his Ass—my Bill would have been reduced to a sheet of blank paper. It may shortly be described as a Bill for the gradual reduction of the number of public-houses, and also for the improvement of the law relating to the sale of spirits by grocers in Scotland. I will not discuss the latter, because it is conceded by all parties as reasonable. But with regard to the first part of the Bill, some hon. Gentlemen have said that they do not approve of the suspensory clause, others that they do not approve of the popular veto contained in that portion of the measure; but oddly enough, no Member has been found to rise in his place and say there are too few public-houses in any part of Scotland. No man has been bold enough to say that—but I think I may go a great deal further, and safely say that there are a great deal too many. There was one remarkable statement made by my hon. Friend the Member for Birmingham (Mr. Chamberlain) last night, who stated that, in his opinion, we might safely diminish the number of licensed houses by one-half without interfering with the legitimate wants of the people or creating anything like an unsafe monopoly. No one who is acquainted with Scotland but must know that the drinking habits of our people are the cause of the greatest misery and disaster, and that so far from diminishing, those habits are on the increase. I submit that the inferences attempted to be drawn by the right hon. Member for the Universities of Edinburgh and St. Andrews (Mr. Lyon Playfair) were wholly worthless. The right hon. Gentleman said that "though the public-houses of Scotland are relatively few, our country is twice as drunken as England;" and to make that out he compared the number of licensed houses in England and Scotland and the amount of crime in the two countries, but omitted to take into account the licensed grocers of Scotland. The number of licensed hotels and public-houses in Scotland is 8,121, and the number of licensed grocers is 4,236. My right hon. Friend thought he was making a great point when he based his calculation upon the number of 8,000 licensed houses only, ignoring 4,236 licensed grocers entirely. That should be a caution to my right hon. Friend not to make statements of that rash and inaccurate kind. At present, however, no one has got up to say that there are too few public-houses in Scotland, and that, at any rate, is a great comfort. I will now read to the House a Return of the number of licences according to the population in the boroughs of Scotland, not confining myself to the public-houses alone, but including the grocers' licences also. In the boroughs the average proportion is that of one licence to every 198 of the population; and in the rural districts it is one licence to every 343 of the population. In some of the larger towns the proportion is much larger than what I have named. In Aberdeen, for example, where the trade is carried on under exceptionally favourable circumstances, there is one licence to every 275 of the population; in Dundee one licence to every 244; in Glasgow one licence to every 231; and in Edinburgh one to every 252. I do not think anyone will be bold enough to say, viewing these figures, that there are too few public-houses in Scotland. In relation to the effect of the number of public-houses on the state of crime in populous places, some curious figures have been circulated by the hon. Member for Liverpool (Mr. Rathbone), who has endeavoured to make it appear from them that the number of public-houses in a place and the amount of crime prevailing there are in inverse proportion to each other—that is to say, that the more public-houses there are in a town, the less crime and the fewer offences are to be found there. If that be correct, why not turn every other house into a public-house? I believe, on the contrary, that there is a direct relation between public-houses and the crime, pauperism, and misery in a town. I very much regret that the words of the hon. Member for Birmingham (Mr. Chamberlain) should so soon have been forgotten. The hon. Member showed that at Gothenburg, within the last 10 years, notwithstanding all that has lately occurred—notwithstanding all the circumstances that were admitted to have taken place there during the last three or four years—there is a decrease of drunkenness of 21 per cent; while at Christiania there has been an increase of 122 per cent, and at Stockholm an increase of 60 per cent. These figures have not been disputed; and I contend, therefore, that we have an answer to those who challenge us to get up and produce figures in support of our assertions. The learned Lord Advocate had very wisely said that we must not advance beyond public opinion on this subject, and that we should proceed with caution and deliberation. I agree—but he may rest assured that he will not be hooted at in Scotland for consenting to pass a suspensory law. I think it is not too much to ask the House to enact a suspensory arrangement, with a view to the gradual diminution of the number of public-houses. I now come to that part of Clause 4 which introduces the popular veto. I would wish, whilst I am on this point, to ask what can have induced the right hon. Gentleman the Radical Member for Montrose (Mr. Baxter) to say he views with alarm the proposal for a popular veto being placed in the hands of the ratepayers? The right hon. Gentleman warns me that I am young, rash, and enthusiastic, while he has grown old in the service of the State, and has learned to be cautious. The right hon. Gentleman must surely be descended from a distinguished lady in Ireland who bore his name, and was well remembered as a lady desiring to remain single. So particular was she as to gentlemen, that her caution and care has been commemorated in the South of Ireland in these two lines—

> "Don't be like Nancy Baxter,
> Who refused a man because he axed her."

That worthy lady might have been the right hon. Gentleman's maternal grandmother. Though I admire the caution of my right hon. Friend, I do not share it. I believe that the people of this country are fully competent to exercise the control with which this Bill seeks to invest them, and that their having it will be the very best guarantee we can have that the trade will be well managed. Why is my right hon. Friend so timid? That I cannot make out; it induces me to think there must be a very curious collusion between the occupants of the two front benches that they should thus set their faces against popular control. I have, in the course of this discussion, been made the subject of most alarming charges. I have been charged with being in league with the supporters of the Bill of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), while the fact is I repudiate his Bill, as I feel that my own is infinitely superior to that of the hon. Baronet. My hon. Friend says—"You shall have the control you ask for, but only in the direction and in the manner I propose to give it." By the measure which I propose, the number of public-houses will be reduced gradually and systematically: the hon. Baronet the Member for Carlisle is for shutting up all the public-houses in a place at once or not at all. Which system is the better. Undoubtedly mine is infinitely the superior of the two. All permissive principles are not bad; but that of my hon. Friend is certainly weak. Its very strength constitutes its weakness, for the hard-and-fast line it contains would prevent its satisfactory working. I hope my hon. Friend will give me his vote—but as I see he is taking notes, I hope he will not give me a speech; for my hon. Friend last night reversed the part of the Prophet of old; for he was asked to support the Motion of the hon. Member for Birmingham, and his speech was really the only damaging one that was made against the proposal. If I am to choose between the two alternatives, therefore, I will have his vote and not his speech, rather than his speech with his vote; and if the hon. Gentleman would vote on my Motion without speaking I shall deem it a personal favour. Now, with respect to local control, is there anything unreasonable in it? Is it unreasonable to say that the occupants of a street or of a locality shall have a voice as to the position in which a public-house should be placed? It is not proposed by the Bill that a large vested interest shall be swept away to-morrow. What it proposes to do will be done in the mildest, the most reasonable—I was going to say the wisest manner. I think we have made out a case for public control. It is not unreasonable to seek to diminish the number of public-houses in Scotland, and that the people shall be allowed to have some voice and discretion in the matter. It has been suggested by the right hon. Gentleman the Member for Montrose, and also by the hon. Member for Peeblesshire (Sir Graham Montgomery), that there should be an inquiry; and the Under Secretary of State seems to think that an inquiry is feasible. I have no objection to inquiry, as I am confident it will result in substantiating what I have said, and bear me out in the ground I have taken for this Bill. I cannot know what is in the breast of the right hon. Gentleman the Home Secretary on this point, but, assuming that he means to consent to an inquiry, I think he ought also to consent to the suspensory clause of the Bill. I appeal to my right hon. Friend to grant it. It has been said that the Bill of the hon. Member for Glasgow (Dr. Cameron), passed last year, ought to have a proper trial, as it will be certain to have the effect I desire. I sincerely hope it may; but as yet it has not come into force, and there is, therefore, no argument against the second reading of the Bill on that ground. In conclusion, I would say that I am content to go to a division on the two great points to which I have adverted—first, that no fresh licences shall be granted; and, secondly, that as to the grocers' licences. These proposals, I contend, are perfectly reasonable in themselves, and will, I trust, receive the sanction of the House.

MR. ASSHETON CROSS: After the long debate that has taken place upon this Bill, it is not my intention to detain the House above a few minutes. In stating what course the Government think it their duty to take upon this matter, I must make one remark on what fell from the hon. and gallant Member for Renfrewshire (Colonel Mure). He said that year after year we had been baffled in legislation on this question. I utterly take exception to the statement, because I am quite sure that no person who takes an interest in these licensing matters will say for one moment that there is not a probability that from the measure passed last year by the hon. Member for Glasgow (Dr. Cameron) there may not—as in my opinion there may be—the greatest possible results, and until we know that the measure is a failure it is hardly fair to say that we have been baffled in any legislation in which we have taken part. I must also make one general remark on this Bill and other Bills. I do not yield to anyone as to the necessity for doing all we can to stop this vice which is becoming so prevalent throughout the country; but I do say that any steps taken ought to be taken cautiously and advisedly, and that if there is one thing more than another to be deprecated, it is this—that Bills should be brought forward year after year which have not been fully considered. Nothing is more likely to prejudice the best interests than perpetual interference year by year. My hon. Friend (Sir Robert Anstruther) hoped that this Bill might be passed to show that we could make people sober by Act of Parliament. That is my view also; but I say we have done a good deal already by the Acts passed to make people sober. That has been the course of legislation, and that probably will be the course of legislation. I agree with the right hon. Gentleman opposite (Mr. Baxter) that you must not rely on one course alone. There are two courses open. One is the removal of temptation from the people; the other is by restriction. I am convinced neither the one course nor the other will do alone. I feel, for my own part, that it is not enough to remove the temptation—it is not enough to train the people to resist temptation; nor will restriction do unless you have the training to strengthen it. I will not take a gloomy view of the state of public opinion among the lower orders in this matter. I know among the lower orders in my own county, and in populous towns elsewhere, there is a growing feeling, not simply arising from training, but arising from thought and deliberation, that they ought to do all they can to raise a public feeling against habits of drunkenness, and to discard as far as they can those companions who have habitually become drunkards. That is a result I can speak as having seen with my own eyes and heard with my own ears. I do not say that education has done it; I do not say that learning has done it. Religion and education may have done a good deal—it requires religion, education, training, and every kind of influence to be brought to bear to attain the object. But there is a growing feeling among the people themselves that they have to put down drunkenness in their class as we have to put it down in our own class. We must must remember, when we talk about the drunken habits of the people of the present day, that it is not wise for those who live in glass houses, or have lived in glass houses, to throw stones. The feeling is so great that something must be done that there is a temptation to hon. Members on both sides of the House to put their names to the backs of Bills of this character. I would advise hon. Members that abstract Resolutions in favour of temperance are one thing, and that legislation in the form of a Bill is a totally different thing. Therefore, while hon. Members are willing to take the responsibility of abstract Resolutions, they should remember to be cautious when definite proposals are made, because when you come to put a thing into the form of a Bill instead of a Resolution, the framers of the Bill are bound to show that the principles of the Bill are sound. I want to try this Bill by that test. Hon. Members on both sides of the House have spoken, and there is not one that has not said that to one part of the Bill or the other he is opposed. The hon. Baronet (Sir Robert Anstruther) himself has said that if he had taken the advice of his Friends on his proposals, there would have been no part of the Bill left; and if I were to take the arguments that have been adduced to-night, I do not think it would be in a better position. I will, with the permission of the House, deal with the three main clauses of the Bill in a few words. First of all, the hon. Member says it is of a suspensory character. Now, I say—and I put it strongly—you have no right to bring forward a suspensory measure unless there is a prospect of immediate and decisive legislation to follow. I object to the number of public-houses being limited to one in 500 of the population. It may be very well for magistrates in given localities to diminish the number of licences according to their judgment in their own district, and they may even reduce them to one in 500 of the population—probably in some parts of

Scotland that may be very right—but that is a very different thing from drawing a hard-and-fast line for the whole country, and making such a rule compulsory under all circumstances, in all places, and at all times. I think that, viewed under that aspect, the clause becomes unworkable; and I will tell you why. When you come to ask what the 500 are to be, you will be puzzled. Are you to take the general Census? Well, the general Census is taken one year in 10. It is taken on one and the same night: but at that time, according to its season, one place will be empty, another full. At what season of the year are you to calculate the number of inhabitants, and how are you going to apply the same principle to an inland town, where the population is fixed, and to a seaside or holiday resort, where it is floating? We all wish, during our holidays, to get as far away from the haunts of men as possible, and supposing you went to a small village, were you to be obliged to wait till the population reached 500 before you can have an inn; the result would be that places that might afford accommodation to scores of people at the seaside would never exist. I say, therefore, that although it might be right for magistrates to come to such a resolution, an Act of Parliament would be practically unworkable. Coming to the 5th clause—the 5th clause as it stood in the Bill of last year—I object to it as it stands. It seems to me not so much a power of popular control, which it is said there is so much disinclination to grant; it looks to me much more like proprietors' veto—that is to say, that for the future you never shall by any possibility have a new public-house started, provided there was an old one there. It is a principle which should be argued out by itself, and should not be mixed up in an "omnibus" Bill. I do not believe the House is in favour of the principle of that clause, and therefore I will not trouble the House further upon it. In the case of the grocers it is a great question how far the charge made against them is well founded. The hon. Baronet (Sir Robert Anstruther) has produced a great mass of papers, which were flourished before us, but which were "taken as read;" and he has sent me a paper containing a mass of figures which I have not been able to master. I quite agree that in the case of grocers there is a great difference of opinion as to how far their business increases drunkenness; but I may point out this—that if this grocers' clause passed to-morrow, there would be no finality about the Bill, because if the clause passed the grocers of Scotland would be placed on the same footing as the grocers in England, and you would be landed in the same difficulty as exists here. It may be a question how far it is wise or desirable to grant grocers' licences, and whether they ought to be continued or not. All I can say is, that the subject is worthy of serious consideration, and one which for my part I am willing to consider. I think so, because if it really be a fact that grocers in England or Scotland are selling spirits in the form of tea, such a state of things undoubtedly ought not to be allowed to exist. On the other hand, if it is not a fact, and I cannot think that the old and respectable grocers throughout the country would lend themselves to such a practice—I do not say that it may not be the case with regard to others, but I am speaking of the old grocers—let the charge be investigated, and if they can, let them clear themselves from it. There is no doubt of one fact—that the number of grocers' licences within the last few years has greatly increased—perhaps because of the great sale of these liquors. I suppose there is some reason for that increase; but the whole question of grocers' licences is one which I am bound to say requires investigation. The hon. Baronet says—"If that is the case, pass my suspensory Bill." No; by no means. It does not follow that because an investigation is necessary, or is to take place, that a Bill should be passed which deals with a totally different matter. I do not think it answers to be perpetually disturbing trade, and therefore I hope that whenever a Bill comes forward dealing with this matter, it will not be an "omnibus" Bill, but a comprehensive Bill. But so far as the grocers' licences go, I think the matter requires consideration. The House may ask what course we propose to take? I observe no one has moved that this Bill be read a second time on this day six months. It has been put before the House, as I expected it would be put before the House, as a Resolution in favour of temperance, and as against that no one wishes to vote. I say it is more than that. Two of the proposals I say are unworkable; and as to the third, I say the House ought not to accept it. If, therefore, I am asked what course I shall take, I do not propose to move the second reading of the Bill this day six months, but I shall certainly vote against the second reading.

Question put.

The House *divided:*—Ayes 90; Noes 253: Majority 163.—(Div. List, No. 34.)

CRIMINAL LAW PRACTICE AMENDMENT BILL—[BILL 78.]

(*Mr. Serjeant Simon, Mr. Gregory, Mr. Cole, Mr. Herschell.*)

SECOND READING.

Order for Second Reading read.

MR. SERJEANT SIMON, in moving that the Bill be now read a second time, said, it had been prepared with great care by Mr. Saunders, Recorder of Bath, and had received the approval of the hon. and learned Gentleman the Attorney General. The object of the measure was to give the Judge discretion to allow the jury to separate for necessary purposes in cases of felony when the trial was so long that it required to be postponed over several days, and to legalize the postponement of trials for the production of additional evidence. It also proposed to amend the Common Law by rendering it compulsory that a prisoner against whom a verdict was returned should be taken before a justice of the peace. The hon. and learned Gentleman concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Serjeant Simon.*)

THE ATTORNEY GENERAL said, that the Bill contained many valuable amendments of the criminal law, which would be very useful until the law could be codified. He would therefore consent to the second reading; but while doing so, would not pledge himself to the whole of its details. He hoped that ample time would be given before the Committee was taken, because it was possible the provisions affecting Coroners might be superseded or transferred to a Bill relating to Coroners which the Government proposed to introduce; and, until that Bill was settled, it would be convenient to the Government that this Bill should not be considered in Committee.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 16th April.

PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL—[BILL 59.]

(*Mr. Marten, Mr. Osborne Morgan, Mr. Gregory.*)

SECOND READING.

Order for Second Reading read.

MR. MARTEN, in moving that the Bill be now read a second time, said, its object was to facilitate and improve the present mode of making out the lists of voters for Parliamentary and municipal elections, and making better provision for the revision of those lists without in any degree interfering with the area of Parliamentary boroughs. If the Bill were read a second time, he would be willing to have it referred to a Select Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Marten.*)

THE ATTORNEY GENERAL said, he had no objection to the Bill being read a second time, but its provisions were so complicated, and so much inconvenience and disaster would result from any defect in the provisions, that he hoped the House would refer the Bill to a Select Committee.

MR. SERJEANT SIMON said, it was at least very doubtful whether the Bill as it stood would be workable in such places, for instance, as Dewsbury. He thought, therefore, that the better course would be to refer it to a Select Committee, where its provisions would be considered with reference to the peculiar circumstances of the different boroughs.

MR. HIBBERT thought the Bill could be adapted to the cases of all boroughs.

SIR CHARLES W. DILKE suggested that a Bill of his own, which stood next but one on the Orders, should be referred to the same Select Committee.

MR. HUNT declined to state the intention of the Government till the Order was reached.

MR. LOCKE moved the Adjournment of the Debate.

SIR CHARLES W. DILKE thought it would be convenient if the Government would state their intentions as to his Bill, as the withdrawal of the franchise clauses removed the objections of the hon. and learned Member for Chatham (Mr. Gorst.)

MR. GORST, who had given Notice of his intention to oppose the Bill of the hon. Baronet, said, the withdrawal of the clauses would enable him to support the reference of the Bill to a Select Committee.

THE ATTORNEY GENERAL said, he certainly had expressed an opinion that the Bill of the hon. Baronet opposite (Sir Charles W. Dilke) should be referred to the Committee if certain clauses were withdrawn.

MR. ASSHETON CROSS said, he would assent to the course proposed.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Locke,*)—put, and *negatived.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

REGISTRATION OF BOROUGH VOTERS BILL—[BILL 38.]

(*Sir Charles W. Dilke, Mr. Rathbone, Mr. Boord.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [21st February], "That the Bill be now read a second time."—(*Sir Charles W. Dilke.*)

Question again proposed.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

MARINE MUTINY BILL.

Ordered, That leave be given to bring in a Bill for the Regulation of Her Majesty's Royal Marine Forces while on shore, and that Mr. HUNT, Mr. ALGERNON EGERTON, and Sir MASSEY LOPES do prepare and bring it in.

Bill *presented,* and read the first time.

EXCHEQUER BILLS AND BONDS (£700,000) BILL.

On Motion of Mr. RAIKES, Bill to raise a sum, by Exchequer Bills or Exchequer Bonds, for the Service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-seven, *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER and Mr. WILLIAM HENRY SMITH.

Bill *presented,* and read the first time. [Bill 114.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 15*th March,* 1877.

MINUTES.]—PUBLIC BILLS—*Second Reading—Committee negatived—Third Reading*—Treasury and Exchequer Bills (25), and *passed.* *Committee — Report —* Publicans Certificates (Scotland) * (14).

TREASURY AND EXCHEQUER BILLS BILL.

(*The Earl of Beaconsfield.*)

(NO. 25.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF BEACONSFIELD, in moving that the Bill be now read a second time, said, that it did not in any degree add to the borrowing powers of the Government. It only introduced a new form of raising money more adapted to the present time. It would have an advantageous effect in facilitating and economizing advances by way of loans for public works from the Public Loan Commissioners, such advances being now of very considerable amount.

Bill read 2^a accordingly; Committee *negatived;* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with;* Bill read 3^a, and *passed.*

House adjourned at a quarter past Five o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 15*th March*, 1877.

MINUTES.]—SELECT COMMITTEE—Employers' Liability for Injuries to their Servants, *appointed* and *nominated;* Soldiers, Sailors, and Marines, *appointed* and *nominated.*

SUPPLY—*considered in Committee*—ARMY SUPPLEMENTARY ESTIMATE—CIVIL SERVICES AND REVENUE DEPARTMENTS REMAINING SUPPLEMENTARY ESTIMATES AND CIVIL SERVICES AND REVENUE DEPARTMENTS EXCESS ESTIMATES FOR 1875-6, AND VOTE OF CREDIT ASHANTEE EXPEDITION (EXCESS).

WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£1,213,532 6*s.* 9*d.*)

PUBLIC BILLS — *Ordered* — *First Reading*— Public Health (Ireland) [116]; Norfolk and Suffolk Fisheries * [117].

Second Reading—Supreme Court of Judicature [103]; Marine Mutiny; Mutiny; Exchequer Bills and Bonds (£700,000) * [114].

Select Committee — Metropolis Toll Bridges * [18], *nominated.*

Committee — *Report*—Registration of Borough Voters * [38-115].

Considered as amended—Justices Clerks [5].

MANCHESTER AND MILFORD AND MID WALES RAILWAY COMPANIES BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GOLDNEY objected to the Motion on the ground that the Bill introduced a new species of legislation. The Bill was one of an extraordinary character, and perfectly new in these days, because it practically called upon the House to assess damages between two Companies who had obtained powers to construct a railway over the same district. He therefore moved that the Bill be read a second time on that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Goldney.*)

MR. T. LLOYD supported the second reading of the Bill.

MR. GREGORY said, that after a careful examination of the Bill he had come to the conclusion that it was one that should be read a second time, and then sent to the ordinary Private Bill Committee.

MR. STORER also supported the second reading, having been advised that the Manchester and Milford Railway Company were suffering a hardship for which their only remedy was to come to that House.

MR. RAIKES said, it would be very difficult for the House to pronounce an opinion upon the merits of the Bill, because it involved one of the most complicated cases that perhaps had come before the House within his experience in the shape of a Private Bill. The arrangements between two of the Companies interested were such as almost to defy explanation that would satisfy the House. It was only by the assistance of maps and plans that it was possible to convey any idea of the subject-matter in dispute. The two Companies formerly competed for traffic through one of the most mountainous and uninhabited districts of Wales. The Manchester and Milford Company obtained a Bill to make a railway, but finding the difficulties to be overcome enormous, they consented to the construction of an alternative line which was projected by the Mid-Wales Company, and over which they were to have running powers. On the faith of this line being constructed, the Manchester and Milford Company entered into certain engagements, but the Mid-Wales Company subsequently abandoned their project; hence the claim which this Bill was intended to settle. The best course would be to follow the ordinary practice and refer it to a Committee up-stairs. At the same time, he thought it was not desirable that a Committee should be called upon to assess damages between two Railway Companies. It was a course which the House ought to discourage; but the circumstances of the present case were very peculiar, and he did not think they were likely to be drawn into a precedent. He therefore hoped that the hon. Member for Chippenham would not press his Motion.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Bill read a second time, and *committed.*

CENTRAL ASIA—TREATY WITH KHELAT.—QUESTION.

Mr. ROBERTSON asked the Under Secretary of State for India, If his attention has been called to the following paragraph in the "Times" of the 5th March instant:—

> "A Treaty has been concluded with Khelat whereby the British Government agrees to support the Khan against internal and foreign foes, and to pay an annual subsidy of £10,000, besides a further sum of £2,200 for the purpose of effecting such improvements in the country as the Government may approve. In return the Government will have the right to occupy the chief towns with troops, to construct railways and telegraphs, and to erect forts. The British Agent's headquarters will be at Khelat, and an officer will also be stationed at Quetta;"

and, if he will inform the House if such a Treaty has been concluded, and if the Government approves of the policy indicated of thus occupying places in Beloochistan far beyond the British territory?

Lord GEORGE HAMILTON: The paragraph alluded to refers to a revision of an old Treaty concluded in 1854 between the Indian Government and the Khan of Khelat, under which an annual subsidy was granted to the Khan to enable him to fulfil certain obligations, and the right of stationing British troops in any part of Khelat territory was confirmed to the British Government. In March, 1873, this subsidy was withheld in consequence of the Khan having failed to fulfil his obligations to protect trade and secure the peace of the frontier. Towards the end of 1875 the late Viceroy despatched Major Sandeman with a suitable escort on a special mission in order that he might, if possible, terminate the prevailing state of anarchy. The present Viceroy has carried on the negotiations initiated by his Predecessor, and the present Treaty is the result. It is therefore scarcely necessary to observe that the revision and adaptation of an old Treaty to existing circumstances does not in any way indicate on the part of the Indian Government any intention of pursuing an aggressive policy towards the countries beyond their borders.

ARMY—MILITIA LIEUTENANTS—COMPETITIVE EXAMINATIONS.

QUESTION.

General SHUTE asked the Secretary of State for War, with reference to the statement that Militia Lieutenants wishing to pass into the Line would, after the end of the year 1878, have to do so by competitive examination, Whether young officers at present in the Militia would be exempted from that rule?

Mr. GATHORNE HARDY, in reply, said, the rules which it was proposed to issue would apply to all officers after the end of 1878.

EGYPT AND ABYSSINIA—DETENTION OF BRITISH SUBJECTS.—QUESTION.

Mr. POTTER asked the Under Secretary of State for Foreign Affairs, If he is now prepared to state to the House the particulars of the outrage on a British subject perpetrated by the Egyptian authorities in the recent seizure of Mr. Robert Adeane Barlow off Massowah, and the measures which have been taken to obtain reparation for Mr. Barlow; also, if Mr. Barlow is now set at liberty?

Mr. BOURKE: I stated to the House the other day that Mr. Barlow, who describes himself of the Abyssinian Army, and Mr. Houghton had in November last announced their intention to penetrate into Abyssinia, and they were warned by Her Majesty's Agent and Consul General that if they attempted to do so in defiance of the prohibition which had been issued by the Egyptian Government it would be at their own risk and peril. It appears that they did proceed to the eastern shore of the Red Sea, where they embarked in a small dhow that was going to Massowah with coals for one of Her Majesty's ships. The dhow was not under the British flag, but under the Turkish flag. On their arrival at Massowah they were asked for their passports. They answered that they had got none. Mr. Barlow gave his name as Colonel Knox, and Mr. Houghton his as Mr. Baird. Afterwards they produced their passports. When the authorities at Massowah found by the passport that their names were not Knox and Baird suspicions were aroused, and they were put under arrest; but on Mr. Houghton giving his parole that he would not leave the town he was released; but Mr. Barlow having refused to do so was placed in confinement pending inquiry as to their identity. They were subsequently removed in an Egyptian transport to Suez, where they were set at liberty on the 21st ultimo. They were re-arrested, in consequence, it is said, of their attempting to leave again for Massowah, and Mr. Houghton has represented that great violence was used against him when arrested. Inquiries will be made into the truth of this statement. Mr. Houghton has been set at liberty, and is now at Cairo. Mr. Barlow refuses to give his parole not to return to Abyssinia; but, though under serveillance at Suez, he is free to go where he pleases in the town.

POST OFFICE (TELEGRAPH DEPARTMENT) SURVEYORS.—QUESTION.

Mr. GOLDSMID asked the Postmaster General, Whether any surveyors have been appointed since the Report of the Committee on the Telegraph Department of the Post Office; and, if yea, whether, in accordance with the recommendation of that Committee, security was taken that they possessed a practical knowledge of telegraphy?

Lord JOHN MANNERS, in reply, said, that two surveyors had been appointed, and that neither of them possessed a practical knowledge of telegraphy. At present there was no one in the service who combined that knowledge with such a knowledge of postal work as would fit him for a surveyorship; but it would be the policy of the Department to select persons for the office who had a knowledge of telegraphy.

ARMY—THE COAST BRIGADE—ROYAL ARTILLERY.—QUESTION.

Mr. RITCHIE asked the Secretary of State for War, Whether it is contemplated to take any steps to remedy the present stagnation of promotion among the officers of the Coast Brigade, Royal Artillery?

Mr. GATHORNE HARDY: I am proposing to take steps at this moment which I hope will have the effect that the hon. Member desires.

CRIMINAL LAW—UNLAWFUL KILLING OF A DOG.—QUESTION.

Mr. SULLIVAN asked the Chief Secretary for Ireland, If his attention has been called to the following statements published in the Belfast newspapers, in reference to a case tried at the recent Monaghan Assizes:—

> "On the 31st August Mr. William Ancketill was driving about the hour of midnight through the village of Emyvale, county Monaghan, when some dogs aroused by the noise of his gig barked at it, and, as he states, frightened the horse. He thereupon pulled up, drove to the police barrack, and induced one of the police to accompany him in a search for dogs in the houses of the sleeping villagers. Neither he nor the constable knew the dogs which had barked, but they went to the houses of people who were known to own dogs. They went to the house of Widow Armstrong, and one of the inmates was roused out of bed. In reply to inquiries, the man stated that Mrs. Armstrong had a dog, and that the dog was in one of the outhouses. Mr. Ancketill requested the servant to bring out the dog that he might see him. The dog—a valuable dog—and one to which Widow Armstrong's family were greatly attached, was brought out. Ancketill caught up the unsuspecting creature in his arms, and with a pocket-knife severed the throat from ear to ear. The police constable was present when this was done. They discovered another dog which belonged to a car driver named Peter M'Anally. Ancketill seized him and cut his throat;"

whether Mr. Ancketill has not been convicted, at the suit of Mrs. Armstrong, for unlawful killing of the dog, the county chairman severely commenting on Ancketill's brutal conduct, and whether that conviction has not been confirmed by the going Judge of Assize; and, whether the Mr. Ancketill here referred to is a Magistrate and Deputy Lieutenant of the county Monaghan, and whether the Government consider him worthy to hold any longer Her Majesty's commission of the peace?

Sir MICHAEL HICKS-BEACH: Mr. Speaker, my attention was first called to this statement, which appears to be taken from an article in *The Belfast Morning News*, by the prominence given to it by the Notice of the hon. Member for Louth. I believe it is incorrect in part and generally much exaggerated. The circumstances, so far as I have been able to learn them, were these: — Mr. Ancketill was driving through a village in county Monaghan late at night, when his horse was frightened by dogs and ran away, kicking the carriage, which was much injured. Hearing the noise, the police came to his assistance; but he, foolishly and improperly, being no doubt much aggravated by what had happened, killed two of the dogs which appeared to have been the transgressors. He was subsequently summoned by the police;

the case was dismissed; and on a second summons being issued, the solicitor for the owners of the dogs obtained leave from the magistrates to withdraw the case, as a civil action was also pending. This action resulted in a decree by the Chairman of the county for £10 against Mr. Ancketill, which was appealed against, and reduced by Mr. Justice Barry to £5, on the ground that the damages were excessive. Mr. Ancketill does not, therefore, appear to have been convicted of a criminal offence, but cast in damages in a civil action; and the circumstances I have related appear to me to place the case in a somewhat different light from that in which it is presented in the statement read by the hon. Member for Louth. However, as what has happened affects the conduct of a magistrate, I have thought it right to direct that the official reports on the subject shall be referred to the consideration of the Lord Chancellor, with whom the decision in such matters rests.

MR. SULLIVAN: I beg to give Notice that, affording time for communication with the Lord Chancellor, I will renew this Question, and ask whether the magistrate who dismissed the case did not when he dismissed it state that the cutting of the dog's throat was not cruelty to animals—it was so swift a death?

POST OFFICE—COMMUNICATION WITH THE UNITED STATES.

QUESTION.

MR. ISAAC asked the Postmaster General, If arrangements are in course of settlement with the White Star Line of Steamers trading between this Country and the United States of America, by which the serious delay, inconvenience, and loss at present sustained by the mercantile community of this Country trading with the United States of America may be avoided?

LORD JOHN MANNERS, in reply, said, the question of the conveyance of the American mails was now under consideration by Her Majesty's Government, and under these circumstances he hoped the hon. Member would excuse him if he declined to enter into the merits of any particular line of steamers plying between Liverpool and the United States.

CRIMINAL LAW—ALLEGED OUTRAGE AT STAMFORD.—QUESTION.

MR. SULLIVAN asked the Secretary of State for the Home Department, If the magistrates of Stamford, doubting that any outrage was committed as alleged by the person named Hammond, have asked the Home Office to send down a detective, in order that the character of the town and the efficiency of its magistracy and police force may be vindicated by a still more searching inquiry; and, whether he means to comply with this request of the magistrates?

MR. ASSHETON CROSS, in reply, said, it was true that the magistrates of Stamford had asked for the assistance of a detective in inquiring into the outrage alluded to by the hon. Member, which request would be granted if the magistrates were willing to pay the expense.

SPAIN—TAXATION IN CUBA.

QUESTIONS.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, If it be not the fact that our mercantile treaties with Spain contain a Clause putting us on the same footing as the most favoured nation; if it has not been frequently represented to Her Majesty's Government that in Cuba, Spain has been for years systematically charging our merchants with an enormous war tax, amounting in some cases to many thousand pounds, from which by special order she exempts German merchants; and, if Her Majesty's Government are prepared to insist on Spain as a friendly power putting British merchants on the same footing as the Germans with whom they have to compete?

MR. BOURKE: The exceptional position of Germans in Cuba, as regards extraordinary taxation, arises from an additional Article to the Treaty of March 30, 1868, between Germany and Spain, which extended certain provisions of that Treaty to the Spanish Colonies. The Spanish Government have never admitted the validity of the claim founded by Germany on the additional Article, but pending discussion between the two Governments temporary exemption had been granted to the Germans. Her Majesty's Government are fully aware of the injustice which this arrangement necessarily inflicts on British subjects, as well as on all others except Germans; and they have used their best endeavours, in concert with the Government of France, to induce the Spanish Government to put an end to it. In answer to the representations of Great Britain and France, the Spanish Minister for Foreign Affairs admitted the hardship of the arrangements, which, his Excellency said, was complained of also by Spaniards, and he announced that extraordinary taxes would be abolished in Cuba, ordinary taxes being substituted, similar to those levied in Spain itself, and payable by persons of all nationalities alike. A representation has, however, lately been made by a British firm at Havannah that taxes are still levied from them and other foreigners from which Germans are exempt; and in consequence of this representation Her Majesty's Minister at Madrid will be instructed to make a strong representation to the Spanish Government and to inquire whether the proposed new arrangement has been finally decided upon, and, if so, when it will be put in force.

Mr. CHILDERS: May I ask whether the Government is not aware that not only one firm but that several firms have been paying for some time these utterly illegal taxes?

Mr. BOURKE: Of course I am not in a position, without Notice, to answer that Question. All I can say at present, from the inquiries I made to-day, is that we have only notice of one firm having been asked to pay these taxes; but it is quite possible that other firms may have been asked to pay it.

METROPOLIS—KNIGHTSBRIDGE ROAD.

QUESTION.

Mr. J. R. YORKE asked the honourable and gallant Member for Truro, If he has taken any steps to acquire from Her Majesty's Government the ground necessary for the widening of the Knightsbridge Road, in accordance with the promise given last year; and, how soon the work will be commenced?

Sir JAMES HOGG: In answer to the Question of my hon. Friend, I beg to inform him that the Metropolitan Board of Works has agreed with the War Office, subject to an Act of Parliament, to pay £5,000 for a strip of ground for widening Knightsbridge Road, and to undertake the work of making up the roadway. I believe that the Bill is in course of preparation, and as soon as an intimation is received from the War Office that the ground can be given up, the Board will be prepared to perform their part of the agreement.

INDIA—ROUTE FROM RANGOON TO KIANG HUNG.—QUESTION.

Mr. SAMPSON LLOYD asked the Under Secretary of State for India, Whether, considering the great importance to the commercial and industrial interests of this Country of establishing commercial intercourse with the populous south-western provinces of China, Her Majesty's Government intend to take steps to complete the survey of the land route from Rangoon to Kiang Hung, which in 1867 was ordered to be made by the Noble Lord the present Chief Secretary of State for India, and of which the first half was actually completed in that year, as appears by a Report laid before this House?

Lord GEORGE HAMILTON: As my hon. Friend is aware, the completion of this survey will involve certain risk and considerable expense. Pending the consideration of the information obtained by the recent missions of Colonel Browne and Mr. Grosvenor, the Indian Government do not think it expedient, in the present state of feeling upon the frontier, to take steps for the completion of the survey of this particular route.

THE GERMAN EMPIRE—FRENCH RESIDENTS.—QUESTION.

Captain NOLAN asked the Under Secretary of State for Foreign Affairs, If he has received information that those French citizens residing in any part of Germany who have served a portion only of their military time in the French Army, and who are still liable to be recalled to their regiments, are to be for the future treated differently from other Foreign residents in Germany?

Mr. BOURKE, in reply, said, that no such information had been received.

ARMY—EMPLOYMENT OF SOLDIERS IN THE HARVEST FIELD.

QUESTION.

MR. KNATCHBULL-HUGESSEN asked the Secretary of State for War, with reference to the Queen's Regulations restricting the employment of Soldiers in the Harvest Field, Whether he will be good enough to state what inquiries were made by the General Officer commanding at Dover relative to a complaint made on the subject, on the 17th day of August last, by Mr. Simmons, secretary of the Kent and Sussex Labourers' Union, to whom those inquiries were addressed; and, if he will lay before the House the Answer received to those inquiries?

MR. GATHORNE HARDY, in reply; said, the Queen's Regulations stated that there would be no objection to soldiers being allowed, at the discretion of the general officer in command, to assist in getting in the harvest, when application was made for their assistance, provided that the employment of the population of the district was not thereby interfered with, and that there were no strikes or disputes between the farmers and their labourers. An application was made in August last for the employment of six soldiers in the neighbourhood of Dover, under the authority of the general officer commanding there. Inquiry was made by the War Office as to whether there was any reason why permission should not be given. The general officer replied that the labourers were fully employed, and there was no strike or dispute between them and the farmers; and, therefore, he allowed these soldiers to assist in collecting the harvest. The harvest time came on very rapidly, he believed, and but for this assistance many of the farmers would no doubt have suffered. As he had received no reply to the request which he had made to those persons who had complained that they should furnish him with some statement of their grounds of complaint, he did not think it necessary to take any further steps in the matter.

ARMY—THE CRIMEAN GRAVEYARDS.

QUESTION.

MR. E. J. REED asked the Secretary of State for War, If he would inform the House, by laying Papers upon the Table or otherwise, what is the present state of the British graveyards in the Crimea, and whether a guardian has been appointed to protect them?

MR. GATHORNE HARDY: I am glad to inform the hon. Member that care has been taken to put these cemeteries in good order. Captain Anstey, who was peculiarly well qualified to perform that duty, was assisted by Captain Harford, who was at that time acting as Consul at Sebastopol. In some cases the tombstones, where they were few, have been removed to the larger cemeteries and placed within boundary walls. A custodian has also been appointed, and a cottage built for him.

ARMY—MILITIA SURGEONS—WARRANT OF 1876.—QUESTION.

COLONEL MURE asked the Secretary of State for War, Whether it is the intention of Her Majesty's Government to take into consideration the case of Surgeons of Militia, who, by the Clauses of the Royal Warrant, dated War Office, 19th July 1876, and the instructions of the Secretary of State thereon, have been deprived of the larger proportion of the income derived from their appointments?

MR. GATHORNE HARDY: The subject has received a good deal of consideration, and I have been requested to receive a deputation after Easter from a medical body in the Metropolis who have taken up the subject of Militia training, and I shall be prepared to give every consideration to the statements they may make. With respect to the subject of the treatment of the Militia medical service, that also is under consideration, and it will depend to some extent upon the condition of the Militia service.

JUDICATURE ACTS—APPOINTMENT OF ADDITIONAL JUDGE.—QUESTION.

MR. FRESHFIELD asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government propose to arrange for the appointment of an additional Vice Chancellor, with adequate staff, to carry on the business which, under existing arrangements, is, or should be, carried on in Chambers?

THE CHANCELLOR OF THE EXCHEQUER: The proposal of the Government is not to appoint an "additional Vice Chancellor." The proposal is to appoint an additional Judge of the High Court of Justice. He will, in the first instance, be attached to the Chancery Division of the High Court; but, like all other Judges appointed since the Judicature Act, he may hereafter be removed to another Division, should such a course be expedient. It is not intended, at least at present, that he should have a staff of chief clerks and subordinate clerks, as in the case of the Master of the Rolls and Vice Chancellors. There is now a very large number of actions before the Chancery Division which are analogous to what were formerly called Common Law actions, which do not involve any amount of Chamber business, and which are the cause of much of the arrear in the Division. The object is to enable arrangements to be made for the decision of these actions.

NAVY—THE TRAINING SHIP "BRITANNIA."—"BULLYING."

QUESTION.

Mr. BLAKE asked the First Lord of the Admiralty, Whether his attention has been called to a letter of Mr. John Lloyd, in the "Daily News" of the 9th instant, on the subject of bullying and cruelty, which practices are alleged to prevail among the Cadets on Her Majesty's Training Ship "Britannia" at Dartmouth; whether such allegations are true; and, if so, what steps he has taken to prevent such practices in future; and, whether he will lay upon the Table of the House the Report of the Admiral who recently held a Court of Inquiry on board Her Majesty's Ship "Britannia relative to these charges, and state the decision of the Admiralty thereon?

Mr. HUNT: In reply to the hon. Member, I have to say that I have seen the letter to which this Question refers. The allegations contained in it are of a general character, and I can only reply generally as to whether they are true. I am sorry to say there were some cases of bullying on board the *Britannia.* I believe that in every school, of every kind, bullying does occur to a certain extent at certain times. The *Britannia* was no exception to the rule; but great pains had been taken of late years to repress all such practices, and with very considerable success. I have reason to think that the practice of bullying on board the *Britannia* has been very considerably diminished. Ever since I have been at the head of the Admiralty I have taken very severe measures to repress such practices whenever they have been brought to my notice. These are the instructions given to the captain of a ship in regard to all such matters: In the case of minor offences he deals with them himself, but serious offences are brought under the notice of the Admiralty. The hon. Member asks me to lay on the Table the Report of the Admiralty. All I can say on that subject is that there is no precedent, either in the Army or Navy, for producing a copy of the report of a Court of Inquiry. But, even if this were not the practice, I should not feel disposed to lay this Report upon the Table, for the following reason: I should be very sorry myself to see all my schoolboy delinquencies recorded in a Blue Book, and I think, probably, the hon. Member who puts the Question shares my views with regard to himself. As regards the decision of the Admiralty, I would say this, that certain specific charges were brought in the case to which the letter relates, and the decision of the Admiralty was that those charges had not been substantiated in any important point.

COAL MINES REGULATION ACT—PARK HALL COLLIERY EXPLOSION.

QUESTION.

Mr. ALLEN asked the Secretary of State for the Home Department, If his attention has been called to the depositions taken by the coroner at an inquest held on the body of Edward Barnes, who died in consequence of burns received from an explosion of gas in the Park Hall Colliery, near Cheadle; and, whether he intends to order the prosecution of Thomas Birt, the fireman of the pit, for a breach of the Coal Mines Regulation Act, in not properly examining the pit before sending in the men to work?

Mr. ASSHETON CROSS, in reply, said, that proceedings would be forthwith taken under the Coal Mines Regulation Act. The only reason why proceedings had not been taken by the Inspector before was that, unfortunately, another man was seriously injured, and it was expected that another coroner's inquest would be necessary. If such an event occurred, he would take care that the Home Office was represented at that inquiry.

BARBADOES—MR. POPE HENNESSY.

QUESTION.

MR. GREENE asked the Under Secretary of State for the Colonies, Whether his attention had been called to the following remarks made by Mr. Pope Hennessy, the Governor of Hong Kong, when he was presented with the freedom of the City of Cork. He is alleged to have said—

> "I am enabled now, for the first time since I have returned to this country, to refer to what has passed in Barbadoes, and to declare that, in all my experience, I was never in a community where there was such deliberate oppression of the masses as in the community at Barbadoes;"

and, whether, from the information received by the Government, such a charge is borne out by the facts of the case?

MR. J. LOWTHER: Our attention has been called to this report, and a communication has been addressed to Mr. Hennessy inviting him to state whether it is correct, and, if so, to offer explanations. With respect to the latter part of the Question, I may inform my hon. Friend that Her Majesty's Government are not possessed of any information which would warrant a statement that there had been deliberate oppression of the masses in Barbadoes.

THE FLOODS.—QUESTION.

MR. ARTHUR PEEL asked the Secretary of State for the Home Department, Whether any decision has been come to in reference to instituting an inquiry into the causes of floods throughout the country; and whether, in the opinion of the Government, a Royal Commission would not be the most suitable mode of ascertaining facts and suggesting remedies?

MR. ASSHETON CROSS, in reply, said, that Her Majesty's Government had had the subject of the floods throughout the country under consideration, and they thought it was a subject about which inquiry was certainly necessary. The time of this House was at present fully occupied, both in Committees and otherwise; and therefore they had come to the conclusion that the better course would be that the inquiry should be undertaken by a Committee of the House of Lords in the first instance, the Government reserving to themselves the right, when the Committee had reported, to appoint a Royal Commission afterwards, if necessary, to inquire into specific points in the inquiry, but not to take the shape of a roving Commission.

SUPPLY.—COMMITTEE.

SUPPLY—*considered* in Committee.

(In the Committee.)

ARMY SUPPLEMENTARY ESTIMATE.

(1.) £140,000 Army Supplementary Estimate.

MR. GATHORNE HARDY explained that the object of the Vote was to provide a reserve of clothing for the Army. He found last Autumn that the markets were favourable, and he therefore thought it was desirable to take the opportunity of providing the Army with a reserve supply of clothing.

GENERAL SIR GEORGE BALFOUR approved of the right hon. Gentleman's precaution, and urged that in order to render the measure a success, it was necessary to have a statement of the stocks on hand before the purchase and after the purchase to enable the House to verify the existence of a reserve stock in the present year, and the like precautions being taken in future years, so as to guard against the using up of reserves without being replaced.

Vote *agreed to.*

CIVIL SERVICES AND REVENUE DEPARTMENTS REMAINING SUPPLEMENTARY ESTIMATES AND CIVIL SERVICES AND REVENUE DEPARTMENTS EXCESS ESTIMATES FOR 1875-6, AND VOTE OF CREDIT ASHANTEE EXPEDITION (EXCESS).

(2.) £550, Arctic Expedition, *agreed to.*

(3.) £31,350, Diplomatic Services.

SIR CHARLES W. DILKE said, this Vote included £10,400 for the Yunnan Mission, but the Papers had not been produced, and he doubted whether, without them, the Vote ought to pass.

MR. BOURKE said, the Papers relating to the Mission were produced last year, and the expenses now asked for had been recovered from the Chinese Government, so that it was a mere matter of account.

Sir CHARLES W. DILKE doubted whether, under all the circumstances, this country was entitled to ask for the indemnity.

Mr. BOURKE said, a large portion of the £10,400 was for the escort. As to the policy of the indemnity, he thought the House would be of opinion that it had been properly required from the Chinese Government, which had also paid a compensation to the family of Mr. Margary and to certain merchants whose property was destroyed. Sir Thomas Wade, now in this country, was preparing a long Memorandum on the subject, and further Papers would be laid on the Table after Easter, when the question of the policy of the Mission might be raised.

Mr. RICHARD thought that the first Yunnan Expedition was unwise and untimely, and predoomed to failure from the first, and there should be an opportunity of discussing the subject when the further Papers were produced. The Expedition was undertaken in opposition to the views of Lord Northbrook and the Indian Council, and Sir Thomas Wade, the British Ambassador at Pekin, was at least unfavourable to the enterprise.

Mr. RYLANDS called attention to some circumstances connected with Lord Salisbury's special embassy to Constantinople. Lord Salisbury was accompanied by four Foreign Office clerks. The Foreign Office staff was divided into classes, to whom different parts of the world were allotted, and the clerks were expected to make themselves familiar with the affairs of those countries. It might have been supposed that these four gentlemen chosen to accompany Lord Salisbury would have been taken from the department of the Foreign Office which was specially charged with Turkish affairs; but Mr. Currie and Mr. Hozier were, he believed, in the United States department, Mr. Leigh was a member of the commercial department, and Mr. Northcote was connected with the Austria and Germany branch. No Member of the House would object to see the son of the right hon. Gentleman (the Chancellor of the Exchequer) being attached to the Mission, but the other three gentlemen had been selected in a most extraordinary manner, and not at all on account of their knowledge of Turkey. The passing over of every gentleman connected with the Turkish department had attracted much observation.

Mr. BOURKE: I am not at all certain that it is for the public interest that the appointments to which reference has been made should form the subject of discussion in this House. Generally, such appointments are left to the discretion of the Secretary of State for Foreign Affairs. There are reasons why the Secretary of State does many things in his office which it is not desirable or expedient for the public service should be given to the world. But there is no mystery about this matter. The hon. Gentleman says that the Foreign Office is divided into geographical sections; but it is only divided in that way for the convenience of the Office, and not at all upon personal grounds. The chief reason why the selections which have been complained of were made was that it was extremely desirable that the Turkish department of the Foreign Office should be left as strong as possible during the time that Lord Salisbury was at Constantinople; and that what had been going on for some months should not be disturbed by the absence of the clerks who had been engaged in that department up to that time. Therefore it was that my noble Friend at the head of the Foreign Office thought it much better to leave the Turkish department as it was. It was quite clear that those connected with that department would have a great deal to do at home while the gentlemen who were selected to accompany Lord Salisbury to Constantinople were absent from London. The result proved the wisdom of the arrangement which was made; for there never was a department so overworked as that unfortunate Turkish department, both during the time Lord Salisbury was away on his Mission to the East, and after his return, in preparing Papers which had to be got ready for Parliament in great haste. I do not think it desirable to enter into the individual merits and qualifications of the clerks who were chosen. It would be invidious to do so; and, indeed, I could hardly state their qualifications without appearing to do injustice to others. All I can say is, that they were selected for very good reasons; and as for the selection of Mr. Northcote as private secretary, that selection was made by Lord Salisbury himself, and we all know how well he discharged his duties.

SIR H. DRUMMOND WOLFF considered the explanation of his hon. Friend was the most unsatisfactory he had ever given. The Foreign Office, as he had stated, was divided into geographical departments. The European departments knew everything about Turkey, for by the rules of the Foreign Office every despatch coming into it was copied by every department, so that the Embassies and Legations abroad should be kept fully informed on all European questions. Therefore, if any of the clerks in any of the European departments had been selected they must have known more of Turkish affairs than any of the clerks in the American section. He did not wish in any way to run down the clerks that were sent out to Turkey, as they were, no doubt, meritorious public servants; but the very nature of their work precluded them from knowing the previous history of what was going on in Turkey. He did not think his hon. Friend's reply ought to satisfy the Committee. He had reason to know that the course pursued in this instance, which was unusual, had given rise to great dissatisfaction in the Foreign Office and the Diplomatic Service. He believed there was a certain amount of favouritism going on in the Foreign Office, which naturally caused dissatisfaction in that Department.

SIR GEORGE BOWYER said, that the discussion was very inconvenient and inopportune. A person appointed to an important duty ought to have the choice of those whom he thought most likely to assist him. He was told that Lord Salisbury had not chosen those gentlemen. Well, then, Lord Derby, who had chosen them, must have known better than any one else the persons best fitted to perform the duties that would be required.

MR. ONSLOW regretted the observations made by the hon. Member for Christchurch (Sir H. Drummond Wolff). Everybody gave Lord Derby credit for using the best discretion, and in a matter of such importance it was impossible to believe that any but gentlemen competent for the work would have been appointed. There was no necessity for the clerks who went out with Lord Salisbury to know much about Turkey, for this reason—that the staff at Constantinople was well informed on all subjects connected with Turkey and the Turkish Provinces; and if Lord Salisbury required information he had only to go to Sir Henry Elliot's office, and get all he wanted. The insinuation against Lord Derby was, he thought, unjust and undeserved.

MR. GOLDSMID congratulated the Government on their two advocates, whose explanations did not agree with each other or with that of the Under Secretary of State (Mr. Bourke). The Parliamentary Papers were prepared, not when Lord Salisbury started on his expedition, but long after. Perhaps the real explanation was that the Government thought it was most desirable to send out men who were absolutely ignorant of the Turkish question, in order to show that there was no bias on one side or the other, so far as the Foreign Office was concerned.

SIR H. DRUMMOND WOLFF said, he had not charged Lord Derby with favouritism. He believed that the noble Lord was really as ignorant of what had led to the appointments which had been made as Lord Salisbury himself. What he had stated was that there was a great deal of favouritism shown in the Foreign Office, and that statement he maintained. He believed the gentlemen in question were selected in order that Lord Salisbury and his staff should be thrown into the hands of the permanent staff of the Embassy at Constantinople.

Vote *agreed to.*

(4.) Motion made, and Question proposed,

> "That a Supplementary sum, not exceeding £46,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses, in certain Colonies."

LORD ROBERT MONTAGU, who had given Notice of an Amendment to reduce the Vote by £41,000, complained that the laws of political economy had been systematically violated in the management of the affairs of our West African Settlements. Lord Carnarvon had offered the country two alternatives on this question—either to pay certain sums annually for these Colonies or give them up altogether. If there were no other option he should at once advise the abandonment of the Colonies; but, in his opinion, the true policy with reference to Sierra Leone and the Gambia was to remove the heavy shackles of taxation and give them the benefit of free trade. He complained that Governor Pope Hennessy had, in order to obtain popular applause, given up certain direct taxes. Direct taxation was the best means of raising a revenue, instead of which they found from the Blue Book that the Customs duties were the staple of revenue, and the result was that while the revenue obtained from Customs duties had gradually increased, those duties had strangled the trade. The taxation of the Colonies had been increased the last two years, and there had been a serious diminution in the export of palm oil, which fell from 22 cwt in 1871 to 13 cwt in 1872; and, though it rose to 16 cwt in 1873, it fell to 11 cwt in 1874. Taxes were continually added to in order to augment the revenue, and those taxes were imposed in violation of all the principles of free trade. The smuggling which had been complained of also arose from the same cause. If taxes had not been imposed which it was beyond the capacity of the Colony to bear there would have been no cause for the excessive smuggling. Not only had the Colonies been weakened by these causes, but no security was taken against the maladministration of public funds, for Lord Carnarvon had admitted that the accounts had been "cooked." No private firm would submit to a continuance of the state of things which Lord Carnarvon described. One large item in the Vote was for the provision of a steamer, the use of which had been told him by a late Governor; he was granted a guinea a-day for travelling expenses, and found he could live on board a steamer for 7*s.* 6*d.*, and so he left Government House, diminished his personal risk of fever, and pocketed 12*s.* 6*d.* a-day. Instead of being warned by diminishing trade and revenue, and by the consequences of increasing the taxation, to adopt a wiser policy, the Government came to this House to get the deficit made up by the British taxpayer. In order to protest against such disregard of political economy in the case of a Colony blessed by Nature, but cursed by ignorant administration, he would move the reduction of the Vote by £41,000. He quite apprehended that his Motion would be lost; but if he could obtain any following at all he would divide the Committee on the subject.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £5,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."—(*Lord Robert Montagu.*)

Mr. BAILLIE COCHRANE said, the noble Lord had made a most energetic speech in favour of the British taxpayer, but he thought he had scarcely done justice to Lord Carnarvon, who had shown the greatest anxiety to reduce the expenditure. When the vast extent of our Colonial Empire was considered it was perfectly wonderful to him how it was maintained without larger and more frequent calls upon the Imperial Exchequer. Within the last few years troops had been withdrawn from these Colonies —a matter which was to be regretted, yet one which had led to a saving; and really the expense which those Colonies now entailed on this country was perfectly insignificant.

Mr. KNATCHBULL-HUGESSEN, as he had been connected with the Colonial Department under the late Government, wished to say a few words. There were two points for consideration, the matter of the Vote and the manner of its presentation—namely, as a Supplementary Estimate. So far from finding fault with the noble Lord (Lord Robert Montagu) for bringing forward that subject, he thought he had exercised a sound judgment in doing so. When Supplementary Estimates were proposed it was not well for the House to be too easy, or to abstain from criticism. Last year, when the Colonial Estimates were moved, it must have been within the knowledge of the Colonial Office that some excess Votes would be required, and it was not desirable to allow those items to accumulate until they amounted to such a sum as was now asked for. It would be far better that when the Colonial Estimates were moved in the regular order, Government should state the financial condition of the Colonies for which Votes would be asked and the reasons for such Votes. At the same time, he believed that earnest attempts had been made by the Home Government to obtain a more correct rendering of accounts and a reduction of expenditure. But with regard to their Colonies on the West Coast of Africa, there could be no doubt that they must be prepared either to make Imperial contributions from time to time or to surrender those Colonies. A certain sum was asked for St. Helena, whose revenues, owing to the opening of the Suez Canal, and the consequent diversion of trade, had fallen off, and in those circumstances — for which the people of St. Helena were in no way to blame—it would not be consistent with the dignity and character of England to refuse such a contribution or to abandon a Colony which had belonged to us for upwards of 200 years. With respect to the Gambia, the question of its cession had been dangled before Parliament by successive Governments and then withdrawn, and they had no full discussion as to whether it ought to be ceded or not. When he first went to the Colonial Office there had been a negotiation for the cession of the Gambia to France, but it was broken off for the moment by the state of the Continent. The argument in favour of the transfer was mainly that by an exchange with France the collection of Custom duties on the West African Coast would be facilitated and the revenue improved. He himself, however, came to the conclusion that it would have been very unwise to have carried out this cession, and that for three reasons—first, that it was dubious morality and scarcely fair to transfer, contrary to their own wishes, to another Government, a population which had grown up under the authority of this country, spoke our language, and clung to our connection; secondly, that it was very doubtful whether the French really possessed such exclusive jurisdiction over some of the places which they proposed to exchange, as would secure to us the expected revenue advantages; thirdly, the River Gambia was very wide and large, and we might want a coaling station in that quarter, when the Gambia would be extremely serviceable to England. The possible future development of trade with the interior of Africa was another reason why we should not give up that Colony. At the same time, he hoped that the present large demand on the Imperial Exchequer might not be repeated, or, at all events, that the sum required would be asked for when the Colonial Estimates were brought forward in the regular form. The greater portion of that Vote was for Sierra Leone, as to which the noble Lord's criticism was to a great extent just. Mr. Pope Hennessy took to every Colony to which he went a very sincere and proper desire to render himself and the Queen's authority in his person popular with the Natives; but he thought that policy might be carried too far, and the financial changes which Mr. Pope Hennessy made in 1872 had scarcely been justified by the results. It might be said that those proposals might have been disallowed; but when Mr. Pope Hennessy had put forth his scheme, which abolished the house tax, the land tax, and various other taxes, which were unpopular with the Natives, resting the whole of his revenue on certain duties, it was almost impossible for the Secretary of State, without possible mischief, and causing much local discontent, to have overridden the decision to which Mr. Pope Hennessy had come, being, as he was, upon the spot with information which should have led him to sound conclusions. Unfortunately, Mr. Pope Hennessy's plan did not succeed; and in the Papers before them they found Lord Carnarvon asking, almost in a pitiful manner, whether some of the taxes which had been repealed might not be reimposed. They had to consider whether Sierra Leone was one of those Colonies which it was so desirable to maintain that they would give a contribution towards its expenditure, and that question was one which might fairly be discussed on a future occasion. But the debt which had been already incurred they could not honourably refuse to pay, and therefore he could not support the Motion to reduce the Vote. At the same time, it was incumbent on the Government to exercise the greatest vigilance in scrutinizing the future expenditure of the Colony.

SIR HENRY HOLLAND knew from his experience at the Colonial Office that if this country was determined to keep these Settlements we must from time to time be prepared to advance money from Imperial funds to secure an efficient government of them. The Committee which sat in 1865 came to two resolutions—the first of which was that there ought to be no further extension of territory; and the second, that the main object of the Government should be to train up the Natives in the art of self-government, with a view to the ultimate withdrawal of this Government from them, with, perhaps, the exception of Sierra Leone. The first resolution had been carried out, and no territory had been added. With respect to the second, the country had decided upon retaining those Settlements, and Selden's saying might be applied to this question, that "he who keeps a monkey must be prepared to pay for the glasses it breaks." The country was obliged not only to pay larger salaries, but to keep up larger establishments than were required in ordinary cases, and in Colonies of the same class. One of the main causes of the expense of these Colonies was the climate. It was no uncommon thing to find a Governor acting with only half a staff; and this, of course, rendered it extremely difficult to have a thoroughly good financial system carried into effect. Another reason which rendered the administration of these Colonies rather difficult was that there was no power of taxing luxuries—such as carriages and articles of that description—and that they must mainly rely on their Customs duties. In Gambia £22,000 out of £24,000 had been raised in one year in this way, and in another year £16,000 out of £18,000. Another difficulty which existed was the stoppage of trade from the interior. This had been specially the case in Lagos, which had had in consequence to borrow £10,000, and to its credit, be it said, that sum had been repaid. Smuggling, too, had greatly interfered with the financial difficulties. Then there was the expense of expeditions to keep the Natives in order, and of providing for the defence of the Colonies. It would be a bad day for England if she allowed the defensive works of the Colonies to get out of order. With respect to the steamer to which reference had been made, he considered it absolutely necessary for going up the rivers. The difficulties to which he had referred applied to all these Settlements. There was no doubt that in 1872 Mr. Pope Hennessy revised—or it should rather be called revolutionized—the tariff in Sierra Leone, and he raised the duties in some cases 33 per cent, and on others 166 per cent, on the cheap articles; and the consequence was that the trade was driven to the rivers outside the Colony. It seemed to him (Sir Henry Holland) that it was desirable to revert to the old state of things, and this had to some extent been done; but it was not so easy to draw back merchants who had set up their establishments on these rivers; and he thought the wisest course for the country to adopt would be to enter into Treaties with the Native Chiefs along the rivers, and to obtain a better jurisdiction over them. Such a course would not be contrary to the recommendations of the Committee of 1865; and with reference to the costs which were incurred in the administration of these Colonies, he thought no one who had read the Papers before the House could come to any other conclusion than that Lord Carnarvon was applying himself in every possible way to a reduction of expenditure.

Mr. GOLDSMID believed that a portion of the Colonial expenditure which had to be paid by this country was owing to the advantage, or perhaps the luxury, of having such a Governor as Mr. Pope Hennessy. That gentleman might possess eminent qualifications for his office, but he had a remarkable faculty for getting every place he attempted to govern into hot water, while every time he opened his mouth he said something he had better have left unsaid. He need only instance the fact brought under the notice of the House that very afternoon, that the Under Secretary for the Colonies had been obliged to call upon Mr. Pope Hennessy to offer an explanation of some strange observations recently made by him in Ireland. As far as the history of this Colony could be traced, it was progressive and improving up to the unfortunate date of the arrival of Mr. Pope Hennessy, who had adopted a system of finance which had never been contemplated, and had thereby changed the whole course of events. The result of his proceedings was that owing to his abolition of certain taxes, and the increase of certain duties, he had driven away trade to the French and Native territories for years to come. He had great fault to find with the late Under Secretary for the Colonies for not having put down his foot upon Mr. Pope Hennessy's financial experiments, because he should have known that it was not desirable that he should be entrusted with so large a discretionary power. When he went to Barbadoes—perhaps through over zeal — he involved the Colony in political messes of the most serious character, and he (Mr. Goldsmid) trembled to think what would be the fate of Hong Kong, which had been unfortunately committed to his charge. But whether Mr. Pope Hennessy was to blame in these matters or not, he had no personal ground of complaint, as each difficulty had resulted in his promotion to higher office. He wished to remind the Under Secretary for the Colonies of the remarks which he made when in Opposition with regard to the duty of impressing on the Colonies the necessity of their being self-supporting. When Lagos got into financial difficulties it had to borrow £10,000, which was afterwards honourably repaid; but Lagos would not be so foolish as to do such a thing again, when it found that other Colonies obtained such pickings from the Imperial Treasury. The Government ought to send out strict instructions for the reversal of the wrong financial policy which had been adopted by Mr. Pope Hennessy, and to go back on the former lines, and endeavour to make each Colony, as it was before, improving and progressive. The Secretary for the Colonies had admitted that there had been some extravagance, and that was the case at the present time. The result of the discussion which had taken place last Session showed that, in the opinion of Parliament, we ought not to cede any Colony in our possession. In that opinion he (Mr. Goldsmid) entirely concurred. The cession of the Ionian Islands was one which we had ever since regretted, and he knew that the inhabitants of those Islands regretted it too. That was not an encouraging example. We had duties to perform as civilizers of the Colonies, but we also had duties to the mother country; and the first thing we ought to do on establishing a Colony was to establish a government founded on the principles of right and justice, and not on a policy which was totally erroneous and unsatisfactory. The errors in the government of these West African Possessions were obvious, and were founded on a policy which the Government ought to reverse; and he trusted the Secretary for the Colonies would give effect to the strong feeling which he entertained as to the necessity of making the Colonies self-supporting.

MR. TREVELYAN said, he did not come down to the House with the intention of speaking, but seeing that his grandfather was the founder of this Colony of Sierra Leone, and he had some family and previous knowledge of the circumstances in discussion, he would like to submit to the Committee a few facts regarding it. He had collected statistics, which, he thought, would justify him in asking the Committee not to make a reduction in the Vote, but to agree to an Amendment which he should propose, and upon which he hoped they would go to a division. The population of Sierra Leone was about 40,000, and its trade with this country, which was its principal trade, might be valued at £200,000 per annum. The revenue of the Colony was about £58,000 per annum, almost all of which was derived from the Customs, which, they were told by the Earl of Carnarvon, were declining, owing to smuggling. The expenditure somewhat exceeded the revenue, and in addition to that, there was a debt of about £75,000. Let the Committee consider what that meant. The extent of the Colony was about 18 miles by 13 miles, the total area being about 300 square miles. And what was the expenditure which it was thought necessary to make for the government of this small Colony? In the first place, there was a Governor with a salary of £2,000 per annum and additional allowance of £500 per annum, and he had an aide-de-camp and a clerk. There was besides a Colonial Secretary with a salary of £800 and quarters, having three clerks having salaries from £100 to £150 per annum. These too highly-paid administrative officers, he ventured to say, had little or nothing to do. Then, with reference to the Financial staff, which turned over something like £50,000 or £60,000 a-year, they had clerks with £700, £350, £200, and £150 a-year; and to keep those people in order they had an Audit Office, which cost £300 a-year, and so badly managed was it that for two successive years they were unable to get a revenue account for Sierra Leone, because they were told there were no reliable returns. The

Collector of Revenues had £500 a-year, with 12 subordinates. The Sanitary Department consumed £400. The Judicial Establishment was a disgraceful item. The Chief Justice had £1,500 a-year, Queen's Advocate £1,000; a Master and Registrar of the Supreme Court £500, a Sheriff and Provost Marshal £400. The Registrar General had £300 a-year. The police magistrate had £500 a-year, his clerk £200; the Inspector General of Police £500. More than £700 a-year was paid to the Coroners of Sierra Leone in the rural districts. There was a Bishop with £900, a Colonial chaplain with £500 a-year, and a Director of Public Instruction with £500 a-year, to which he did not object. This immense establishment was the real cause of the deficit. Sierra Leone had been a success once by means of thrift, energy, and public spirit. The Earl of Carnarvon had tried to do his duty there, as elsewhere, and had sanctioned the public-spirited conduct of the Governor of St. Helena, who, by taking upon himself the duties of Chief Justice, had saved the country £600 a-year. Some reasonable arrangement of the same description at Sierra Leone might save the country thousands a-year. It became Parliament to look into these matters. What he desired was that the Colonial Office should tell our officials there that they should reduce the expenditure, and if they did not do so that others would be sent out to take their place. He would not support the Motion of the noble Lord (Lord Robert Montagu) to diminish the Vote by £41,000, for the money must be made up; but he wished the House to come to a resolution to make the Colonial Office take measures to diminish the expenditure, and if the noble Lord withdrew his Motion he (Mr. Trevelyan) would move that the Vote be diminished by £5,000.

Mr. CHILDERS said, he did not wish to follow the hon. Member into details, but he would put the result into two simple figures. In Sierra Leone there was a revenue of £61,000, and an expenditure of £68,000, £3,500 being interest on the public debt, and £32,000 for salaried establishments. The population was only 50,000 or 60,000. In St. Helena the salaried establishment cost £10,000 a-year, out of an income of £13,000. Lords Kimberley and Carnarvon had done their utmost to bring these Colonies into a satisfactory condition. What the Colonial Office really wanted was more power to act; a distinct indication on the part of the House that these Colonies should not thus be administered. Again, he found that the debt of Sierra Leone had been spread over a number of years and was now £38,000. The Colony had been borrowing at the rate of 6 per cent, £3,000 or £4,000 a-year being paid for interest. If the Colony had borrowed it from the Government at 3 per cent they would be saved a large amount of grant now asked for. So, again, as to the finance of the Gambia and of St. Helena, the revenue would have been sufficient but for the contribution now being made to wipe off the capital of the debt. It was better, in all these cases, for the Treasury even now to supply the whole sum needed to pay off the debt at 3 per cent, than to make these absolute grants. Of this he had no doubt—that it was impolitic to allow those Colonies to think that they could obtain grants from the Imperial Exchequer whenever they got into debt for public works at high rates of interest, and their expenditure came hence to exceed their revenue.

Mr. J. LOWTHER said, it would be unnecessary for him to make any detailed statement as to the financial position of the Colonies referred to, full information on that subject having been furnished in the Papers now for some days in the hands of hon. Members. Very little had been said in the course of the discussion against the financial administration of St. Helena, the principal charge made being that preferred by the right hon. Gentleman opposite (Mr. Childers)—namely, that the Colony, which was maintained altogether for Imperial purposes, spent its money in paying its debt—an example which he thought might with advantage be followed by other communities. The utmost economy had been for some years observed there—the staff had been reduced; the Governor uniting with his duties as Governor those of Chief Justice, Commander-in-Chief, Vice Admiral, Colonial Secretary, Judge of the Summary Court, and Police Magistrate. He did not see how a consolidation of offices could be carried further. The Committee must recollect that it would be unreasonable to expect a small community of 17,000 souls to bear up against the great alterations in trade, which had diminished their resources. Blame had been laid on the financial administration of Sierra Leone, especially by the noble Lord the Member for Westmeath. [Lord ROBERT MONTAGU: I said Sierra Leone and Gambia.] He laid special stress on the administration of Mr. Pope Hennessy, which he (Mr. Lowther) was not charged with the duty of defending. That episode occurred when the right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen) occupied the position of Under Secretary, and he (Mr. Lowther) had had sufficiently often to trespass on the indulgence of the House in endeavouring to defend the acts of Mr. Pope Hennessy while he himself was officially connected with the Colonial Department, and was therefore not disposed to assume any unnecessary responsibilities of that nature. The noble Lord said that the mischief which had occurred was due to the adoption of a system of indirect taxation. Reference had been made to certain imposts which had been discontinued—namely, the land tax and the house tax. From the observations made by the noble Lord and other hon. Members the Committee might have been led to think that the main source of revenue up to the time of Mr. Pope Hennessy's Governorship was direct taxation. So far, however, from that being the case, it would be found that a very small portion of the revenue was derived from that source. The revenue of those Settlements had been mainly derived from indirect taxation. It was perfectly notorious that there were no wealthy classes to bear taxation; there was no landed aristocracy — no great private trading community; and therefore they had to resort to indirect taxation for the revenues of these Colonies. At the Gambia the taxes were more or less of the same kind, and although they had not in late years succeeded in raising the revenue required, yet up to 1872 the revenue was found to be equal to the expenditure, and a considerable sum was applied in re-paying some loans. At Sierra Leone a change took place in 1872 in regard to the management of that Colony. The noble Lord said that if any commercial establishment carried on their affairs in a similar manner, the firm would dismiss the officers; now, unfortunately, the officers dismissed themselves; there were constant deaths occurring amongst the members of the staff; and, not only that, but the retirements so far diminished the staff that it was almost impossible to keep it filled up in a proper state of efficiency. He did not wish to dwell upon this subject, but he must admit that the state of things at Sierra Leone was far from satisfactory. The noble Lord had said it was a place blessed by nature. All he (Mr. Lowther) would say in reply to that was that he hoped such blessings would not be extended to any community with which he might happen to be connected. It had been alleged he had stated that he would come to Parliament for an annual Vote for this Settlement. He, however, said nothing of the sort. What he said was that he could not hold out any confident expectations that such Votes would not be required again. He freely admitted that the revenue of these Settlements was not equal to their requirements, and that the Imperial Exchequer was the only source from which help could be derived. His hon. Friend the Member for Rochester (Mr. Goldsmid) was in error in stating that he (Mr. Lowther) had ever committed himself to the doctrine that these Colonies ought to be self-supporting. The observations evidently in his mind were made when he (Mr. Lowther) was sitting on the opposite side of the House, and was untrammelled by any official ties. What he really did say upon that occasion was that the expenditure of British lives and treasure in those unhealthy climates was a policy he could not endorse. He also pointed out that the chief horrors of the Slave Trade were due to the overcrowding of vessels consequent upon the presence of our cruisers, and had further drawn a comparison between the relative value —in his own opinion—of the life or health of a single British seaman and several cargoes of Ethiopians. If he he was asked for an explanation of those opinions expressed at the time and under the circumstances alluded to when he occupied an irresponsible position in that House, he might very well take the liberty of copying the reply given (if his memory did not fail him) to the noble Lord himself (Lord Robert Montagu) by a statesman of greater eminence than any to which he (Mr. Lowther) could ever hope to attain—"a great deal has happened since then." He, however, would be perfectly frank with the House, and would at once admit that with the advantage of the additional experience he had since enjoyed he entertained precisely the same opinions now. If he were asked why, under those circumstances, he had not endeavoured to induce the Government to move in the direction he had indicated, he would with equal candour admit that he had not met with such support on former occasions on this subject in the House of Commons as to justify him in urging his personal opinions upon his Colleagues, who probably would not have been more inclined to adopt them than he candidly owned the House at large had formerly been. While his opinion remained precisely what it was, he felt bound to acknowledge accomplished facts; and therefore he would not urge opinions which might not be shared in by his Colleagues or approved by the House. He assured the House that he would not press the Vote unless he felt that the Imperial Government was bound in honour to discharge its obligations. As we had, on repeated occasions, decided to retain these Colonies, no other course was open to us but to agree to the proposal before the Committee.

Lord ROBERT MONTAGU said, he had not expressed any desire to give up any Colony, but the Earl of Carnarvon had said in "another place" that Parliament must either pay these sums or these Colonies must be given up. But there was an alternative which he would place before the Committee, and that was that the Government should reduce the taxation on the imports and exports. They should revert to the old system, which was approved of and which was successful. If the principles of free trade were resorted to the result would be that the resources would be amply sufficient. He objected to the new indirect taxation which the Government was constantly putting on these Colonies. If there should be deficits in any of the Australian Colonies this country might be called upon to make them good. In conclusion, the noble Lord withdrew his Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. J. Lowther

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £40,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."—(*Lord Robert Montagu.*)

Mr. TREVELYAN wished to point out that what the Committee was going to do was not to vote a sum to discharge obligations which this country had incurred, but rather to put pressure on the Colonial Office, and require them to make during the present year a saving of 20 per cent on the enormous and expensive establishment at Sierra Leone.

Question put.

The Committee *divided:*—Ayes 92; Noes 150: Majority 58.—(Div. List, No. 35.)

Original Question again proposed.

Sir CHARLES W. DILKE observed that grants in aid of bankrupt Colonies had formerly been unusual, but seemed likely to become frequent, seeing in particular that we had taken over Fiji, which it appeared from accounts would probably never be in a position to pay its way. On looking back to the Reports of the Committee on Public Accounts, he found that in 1873 the Committee reported in terms which showed that St. Helena was an old offender in the manner in which money voted by this country was expended in that Island. It was necessary under present circumstances, and having reference to other Colonies, that the House of Commons should see that it possessed proper control over the sums granted in aid, and that the money so granted was properly applied. He therefore moved that the amount of the Vote be reduced by the sum proposed for St. Helena—namely, £5,500.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £41,000 be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."—(*Sir Charles W. Dilke.*)

Mr. WHITWELL said, he could not support the Vote as proposed by Her

Majesty's Government, and he expressed his opinion that it was lamentable the way in which the affairs of the Colonies were administered. In the case of Gambia, there had been seven Governors in 12 years, and there was no wonder that the accounts had got into a bad state. He could not see why now, with the appliance of telegraphy, these Colonies could not be governed from the mother country, without the aid of a Governor. The expenditure of St. Helena, which contained a very small population, was much too great. Administrative reform was wanted for the better government of that Colony, in order to induce persons to settle there.

MR. J. LOWTHER said, that necessarily these unhealthy Colonies must be more expensive in their administrative department than others. It was impossible to get persons to accept office there without their being highly remunerated, and pensions being provided. With regard to St. Helena, the alteration of the route to the East caused by the opening of the Suez Canal had naturally resulted in a loss of revenue to that Colony, and he would remind the Committee that any cutting down of the establishment must naturally lead to an increase in the pension list. The utmost economy had throughout been observed. Attempts had been made to increase the revenue of St. Helena by cultivating a particular tree, the bark of which was valuable as an article of commerce, but the results had not yet been very favourable.

MR. DILLWYN said, the Committee ought to jealously watch and see that where demands were made on the mother country for assistance, that a proper case for acceding to the request had been made out. These grants were not a satisfactory way of voting public money, and there was no guarantee that the money then to be voted would be expended as the House of Commons intended it to be spent. He should vote for the reduction of the Vote.

SIR ANDREW LUSK also complained that money voted for the Island by the Imperial Parliament had been imprudently expended, which was a very improper thing to do. It was useless to talk about the productions of St. Helena, for nothing grew on these rocks. Occasionally ships put in for supplies when they passed, but they were pretty well skinned before they left. It would be well for the Committee to reduce the Vote, and by refusing the money tell those who administered the offices of the Island and the population that England could not be continually assisting them.

ADMIRAL SIR WILLIAM EDMONSTONE said, that it was of the utmost importance that England should maintain the possession of the Island of St. Helena. It was of the greatest advantage as a place of call for our ships in a time of war.

MR. RYLANDS suggested that the hon. Baronet (Sir Charles Dilke) should not move the rejection of the entire Vote, but to reduce it by £2,000. He condemned the practice of coming down to Parliament for large sums of money to assist the Colonies, and being unable to explain what the financial difficulties were that required pecuniary aid from the mother country. Applications for money made in this loose way only encouraged lavish expenditure on the part of the Colonies. He hoped the hon. Baronet would confine his proposal to the reduction of the Vote by £2,000, rather than to that of the larger sum, £5,500.

MR. GOURLEY said, he should vote with the hon. Baronet the Member for Chelsea, unless the Under Secretary for the Colonies would consent to revise and reduce the establishment charges.

MR. TREVELYAN pointed out that St. Helena stood in the peculiar position of a community whose revenue had fallen off enormously in the course of some six years. It had decreased from £25,000 to £13,000. Therefore, St. Helena was under an absolute obligation to reduce, and what was the consequence? In 1869 the establishments there stood at £14,000, but in the course of seven years the Colonial Office had reduced them to £6,000 a-year. All he asked was that the Colonial Office should take measures for reducing the establishments of Sierra Leone and Gambia by £2,000 in the course of a year. He would make a suggestion to his hon. Friend the Under Secretary. It was that he should abolish the office of Queen's Advocate at Sierra Leone; that he should make the Registrar General do the registering of the Supreme Court; that he should give up the office of Provost Marshal; and that he should abolish some of the trumpery twopenny-halfpenny courts of summary jurisdiction which dealt with the small community of negroes. In this way his hon. Friend would be able to save the £2,000 offhand.

Mr. J. LOWTHER said, with regard to the particular tree from which revenue was to be derived, that it was called the cinchona, and that, according to the eminent authority of Dr. Hooker, it was capable of being acclimatized at St. Helena. A considerable revenue would probably be yielded by its cultivation, as the bark produced something like quinine, which was found of great use in the tropics. A reduction of establishments such as that which had been carried out in St. Helena were quite incapable of being applied to Colonies like the Gambia and Sierra Leone. As regarded St. Helena, it was impossible to conduct the government of the Colony with a smaller staff than at present, and the money now asked for had been actually expended.

Sir CHARLES W. DILKE said, there was no question of the relinquishment of St. Helena involved, the contention of those who objected to the Vote being that the Island could probably be much better governed by a single policeman than by the existing staff. In order to show that the object which he had was not to strike out the whole Vote, but only to enforce upon the Government the necessity for a further reduction of the establishments, he would withdraw the Amendment which he had proposed, and substitute for it a proposition to reduce the Vote by £2,000.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Motion made, and Question put,

"That a Supplementary sum, not exceeding £44,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."—(*Sir Charles W. Dilke.*)

The Committee *divided:* — Ayes 57; Noes 124; Majority 67.—(Div. List, No. 36.)

Original Question put, and *agreed to.*

Mr. Trevelyan

(5.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £21,200, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for Tonnage Bounties, Bounties on Slaves, and Expenses of the Liberated African Department."

Mr. GOURLEY wanted to know how the bounties were regulated—how much was paid to officers and how much to men? The practice of subsidizing men engaged in the capture of slavers had led not unfrequently to the wrongful capture of vessels which were not engaged in the traffic. That the system was liable to abuse was shown, he thought, by a Return which had been laid on the Table, from which it appeared that 13 vessels had been wrongfully captured. Another point to which he wished to call attention was that Rear Admiral Cumming had made several recommendations for the more effectual suppression of the traffic, one being an increase of interpreters, and he would like to know how far that suggestion had been carried out. He also wished to know whether attention had been paid to certain recommendations made by the same officer for the abolition of the Trade on the land side? Although the traffic had been put down by sea it had largely increased on land, and one recommendation was to establish a blockade at certain points of land opposite Zanzibar. This could best be done, not by European, but by Indian troops at comparatively little expense. There were 48,000 slaves annually exported by the coast route, whilst the number of slaves captured by our cruisers did not exceed 600. The number of vessels employed by us should be also increased. In order to elicit information from the Government, by which he should be guided in considering whether he should divide the Committee, he moved to reduce the Vote by £10,000, for tonnage and slave bounties.

Motion made, and Question proposed,

"That the Item of £10,000, for Tonnage Bounties, &c., be omitted from the proposed Vote."—(*Mr. Gourley.*)

Mr. MARK STEWART imagined that the hon. Member for Sunderland (Mr. Gourley) did not intend to divide the Committee. [Mr. Gourley: I beg the hon. Member's pardon; it all depends on the answer to my question.] His principal object in rising was to ask the Government if they had any information with regard to the policy the Portuguese Government had pursued in this matter. It was generally understood that that policy was rather obstructive in its character, and opposed to the view that all Englishmen took in regard to the slave trade. At Mozambique, which belonged to Portugal, though it was not precisely the place they were now speaking of, there was a continual stream of slaves emigrating from South to North, and the same was the case at places contiguous to the Portuguese Settlements. Although the Government of Portugal had expressed sympathy with what we were doing in regard to this important subject, they acted in quite a reverse manner. There was another point on which he thought they should have some explanation—namely, the amount to be allowed to the Sultan of Zanzibar, not only for the courtesy he had shown to this country, but also in consideration of the large sacrifice of revenue he had to make in putting down the slave trade in his dominions. They ought to have some clear indication of the liberality the Government were prepared to extend towards the Sultan. A debate had taken place in the House last Session in regard to the slave trade on the coast in question, and it was believed then that though the trade had been greatly stopped on the seaboard, where Her Majesty's cruisers and men-of-war had proved so destructive to the dhows, that in the interior, within often three and four miles of the coast, it had not been stayed very materially. It had been said that a great deal had been effected, but that there was something still to be done, and that a system of stations extending right across the country from the line of coast opposite Zanzibar would be the most efficacious and practical mode of proceeding. It was not necessary to go further into this subject; but the House should have some assurance that the money they were about to vote was spent as it ought to be.

Mr. WHALLEY feared that the expenditure covered by the item to which exception was taken involved the sacrifice of more slaves than it liberated. He believed that the Squadron on the African Coast had discharged its duty most efficiently, but the Slave Trade could never be suppressed until a road through the interior was constructed. A short time ago he had asked the Under Secretary whether Her Majesty's Government intended to give any aid or countenance to any private parties who might respond to the invitation of the Sultan of Zanzibar and undertake the construction of such a road. The hon. Member, however, probably on account of the quarter from which it had come, did not give a satisfactory answer to that Question; but he understood him to say that the Government were not prepared to recognize any private parties who might undertake the important work to which he referred.

The CHANCELLOR of the EXCHEQUER said, he should not quarrel with the hon. Member for Sunderland (Mr. Gourley) for having raised this large question upon the present Vote. At the same time, he thought the hon. Member had put the Committee in some little difficulty by the manner in which he had chosen to bring forward the general subject of the suppression of the Slave Trade. Undoubtedly, when the ordinary Estimates of the year were before the House, any hon. Gentleman, by giving Notice that he intended to call attention to the mode in which the Government of England endeavoured to put down that Slave Trade—by intimating that he would do so in connection with the Votes which were proposed in view of carrying out the policy which had been adopted by the country—would have a very convenient and proper opportunity of discussing such questions as those which had been raised by the hon. Member for Sunderland; but on the present occasion all that the House had to deal with was a Supplementary Vote—a Vote which was required in order to make good the total amount that was required for the service of the year according to the principles which were at present recognized by the nation. The hon. Member for Sunderland, by the Notice he had put on the Paper, hardly intimated that he would raise so wide a question. The position of the Government, right or wrong, was laid down by the Act of 1873, which enabled Her Majesty to pay certain bounties to any vessel which under the provisions of the Act seized a slaver and took it to a slave port. Under that Act £5 was to be paid over for every slave, or a tonnage bounty of £4 for every ton of the vessel which was condemned. It was obvious in framing the Estimates for any particular year they must merely make a guess of the amount they would require in the course of the year to come; and it might so happen that the amount they anticipated in one year would be more than they required, while in another it might be less, because more vessels might be captured at one time and fewer at another. In the year which was just expiring it had turned out that the amount which had been taken in connection with the Slave Trade had been considerably too little. The sum of £10,000 had been taken, and it appeared that the sum of £20,000 had been paid. That was, no doubt, a very large increase; but he was told that the explanation of the increase was to be found in the fact that this year there had been stationed a guard-ship, the *London*, off the coast of Zanzibar, and that the number of boats attached to that vessel had enabled the operations of the captors to be carried on amongst the islands off the coast, where the slaves were secreted, and where a cruiser could scarcely go, and where the traffic had been hitherto carried on with comparative impunity. In other words, more stringent measures had been adopted than before; and the slavers had been followed into creeks and shallow waters where previously our vessels could not go. The consequence had been that a larger number of captures had been made and bounties recovered; and all that was now proposed to hon. Members was that they should do that which under the Act of Parliament they were bound to do—that they should fulfil their contract with the owners and captors of those vessels, and with the men who were employed upon them, by paying them the amount they had earned according to the enactments now in force. This, he apprehended, was a Vote which he House of Commons would never think of refusing. He entirely agreed, however, with the hon. Member for Sunderland that it was a question which was very legitimately open for the House to consider whether the present system was the best and most effectual manner of suppressing the Slave Trade; but he thought, as he had already indicated, that it would be desirable, if the hon. Gentleman wished to raise that general question, that he should do so in such a manner as might give clear Notice to the House of the particular points on which he desired information, when the Members of the Government specially charged with that subject would be prepared to supply that information, and the House would be able to form a deliberate judgment on the whole matter. He did not profess to be able to answer all the questions which the hon. Member had put; but he could say for those who constituted the present Government, that they were anxious to do all they possibly could, and by every means in their power to suppress the Slave Trade on the East Coast of Africa. They and their Predecessors had done what they could by arrangements with the Seyyid of Zanzibar to enlist his sympathies in that cause and to induce him to cooperate with them in suppressing the internal Slave Trade. They had been asked what had they done for the Seyyid of Zanzibar in return for the sacrifices they had called on him to make in that matter. He did not know that they had done all that they perhaps might have been called upon to do, but they had done that which they could. They had endeavoured to point out to the Seyyid of Zanzibar the interest he really had in the development of the legitimate trade of his country, and they had sought to give him their assistance and their moral countenance. On the last occasion when they were in Committee on the Supplementary Estimates they had before them the arrangements for aiding him in regard to the tribute which he paid to Muscat, and which this country guaranteed. They asked him, in the cause of humanity, in which all persons were interested, and he among others, to join them in that good work. He quite agreed with the observation which had been made that we ought not to limit our efforts to attempts to capture slavers. There was a great deal to be done by trying to stop the Slave Trade in the interior of the country—whether it were by arrangements with the Portuguese, by opening up roads, or by some other means. Everything which we could legitimately do in that direction we ought to do; and though, as he had said, he was not prepared to answer all the questions which had been put to him on the subject, he might state one fact which was within his knowledge, and that was that a great deal of information on this important matter was continually supplied to the Slave Trade Department of the Foreign Office, that that Office was informed by our Consuls of all that was taking place, and that whenever the attention of any Consul was drawn to the fact that slaves were being carried overland by one route or another route proper notice was immediately directed to the circumstance, remonstrances were made, and such steps as could be taken were at once adopted for the purpose of remedying the evil. With regard to the mode in which the money earned by our cruisers was divided, he understood it was all regulated by the Prize Act, so many shares being given to a captain, so many to a lieutenant, and so many to a seaman. In conclusion, he hoped that the hon. Member for Sunderland would not think of pressing his Motion to a division.

MR. SHAW LEFEVRE expressed the hope that after what had just been stated by the Chancellor of the Exchequer the hon. Member for Sunderland (Mr. Gourley) would not divide the House. The matter in question was not one within the discretion of the Government, who were bound by the Act of 1873.

MR. GOSCHEN remarked that Her Majesty's ship *Thetis* was involved in this Vote, and perhaps it would not be out of place if he took the present opportunity of asking the First Lord of the Admiralty whether he could give the House any information with respect to that ship? As the right hon. Gentleman must be aware, certain reports about the vessel had appeared in the public newspapers.

MR. HUNT said, he had no further information in regard to the *Thetis* than that which had appeared in the newspapers, although he had later information. On Wednesday he telegraphed to Malta asking whether there was any news of the *Thetis*, but the answer was that there was not. Her Majesty's ship *Sultan* had returned there without finding her, but that the search for her would be renewed.

SIR ANDREW LUSK did not like to see a red herring dragged over the scent, as was done by the right hon. Gentleman. He thought the Vote led to a great injustice, inasmuch as men were tempted by the tonnage bounties to destroy not only slave dhows, but small vessels, the property of struggling people engaged in legitimate trade.

MR. GOURLEY, having heard the statement in explanation of the right hon. Gentleman the Chancellor of the Exchequer, expressed a desire to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. SHAW LEFEVRE asked if any portion of the large expenditure in respect of the *Thetis* had been recovered from the captain? He believed it was a gross case on the part of the captain of that ship of destroying dhows in the Red Sea, and it was reasonable to suppose that some deduction should have been made from the bounties received by him.

MR. W. H. SMITH said, he was unable to answer the question. The sum had been voted two years ago after a full discussion, but from some delay, caused by the Indian Government, it was necessary to obtain a re-vote.

MR. RYLANDS said, the captain ought to be made to refund money improperly received by him. He agreed that it would be unwise to oppose the Vote; but thought the present system of bounties open to serious objection, and that the whole question ought to be considered by a Committee of the House.

SIR JOHN HAY said, the hon. Member was mistaken in supposing that any money had been improperly received by the captain. No money could be paid for capture unless the vessel seized was condemned by the Court. The Act was clear upon that point. As a matter of fact, a long time generally elapsed between the condemnation of a vessel and the payment of the money. The hon. Member for Sunderland (Mr. Gourley) was mistaken in supposing that naval officers were in the habit of seizing dhows on the chance of getting them condemned. He (Sir John Hay) believed the naval officers entrusted with the enforcing of the Act for the suppression of the Slave Trade discharged their duty with the utmost care, and seized only vessels which would certainly be condemned. If they acted otherwise they would render themselves liable to very heavy pains and penalties, both from the admiral commanding the Station and the right hon. Gentleman the First Lord of the Admiralty, who would take care never to employ an officer who had been guilty of such dereliction of duty. Such a case as the hon. Member for Sunderland supposed was utterly unknown.

THE CHANCELLOR OF THE EXCHEQUER thought it was desirable that there should be no misunderstanding about this Vote. Unfortunately, the sum that was granted two years ago, after a full discussion in that House, was not paid in the year for which it was voted. The Indian Government undertook the repayment of the money; there was some delay which he could not account for, and the money was not paid till last year by the Indian Government. Then, of course, the Vote lapsed and came back into the Treasury. The Indian Government having paid the money, it was necessary to have a revote. But it might be a satisfaction to the Committee to mention that none of this money, as he understood, was voted for the purpose of giving bounties to anybody. What happened was this. In May, 1873, the *Thetis* seized and burnt 10 dhows on the ground that they were supposed to be engaged in the Slave Trade. Proceedings were then instituted in the Admiralty Court at Aden. It turned out that the captors were wrong, and they were condemned in costs. Then came a claim for compensation for the dhows which they had destroyed; the claim amounted to about £32,700, but that was found to be an extravagant claim, and, after a careful investigation, about £11,100 was ordered to be paid for the loss of the dhows, and £1,000 was set apart for the purpose of compensating the families of five men who had been killed at the time of the capture. Every precaution was taken to secure that the money should reach the sufferers themselves, and he understood all parties had been satisfied that Her Majesty's Government had desired to do full justice in the matter. It was, of course, an unfortunate capture. The dhows were engaged in pearl fishing, and not in carrying on the Slave Trade. Probably there was some *primâ facie* justification for what was done, though it afterwards turned out that there was no justification.

Original Question put, and *agreed to.*

Sir John Hay

(6.) £1,000, Mr. Cave's Mission to Egypt.

In reply to Mr. DILLWYN,

THE CHANCELLOR OF THE EXCHEQUER said, £100 of this amount was for payment to officers who performed the duties of Colonel Stokes at Chatham during his absence with his right hon. Friend (Mr. Cave) in Egypt. The remainder was the sum which was allowed to Colonel Stokes himself for compensation.

Vote *agreed to.*

(7.) Motion made, and Question proposed,

> "That a Supplementary sum, not exceeding £13,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for Superannuation and Retired Allowances to Persons formerly employed in the Public Service, and for Compassionate and other Special Allowances and Gratuities awarded by the Commissioners of Her Majesty's Treasury."

MR. CHILDERS inquired how it was a Vote was asked for compensation allowances for persons employed on the survey staff. The survey had not been reduced, and they had been told that the surveys would not be concluded for many years to come.

MR. W. H. SMITH said, it had been found necessary to retire certain officers in the survey department of the Office of Works, and the sum now asked was for compensation on the retirement of those officers. There was no doubt that the staff at the time was considerably in excess of the number provided by the Vote of the House, and it was thought that these gentlemen were the persons it was most desirable to retire.

MR. CHILDERS thought more information should be given on this point. The surveys of the United Kingdom were still going on, and the tendency was to increase rather than to diminish their cost. He wanted to know under what circumstances it was possible that persons who had not reached the ordinary age of retirement had been retired on an amount which would show that their aggregate salaries were some £7,000 or £8,000 a-year?

MR. W. H. SMITH said, he was most anxious to give the right hon. Gentleman the fullest possible information, but it was an expenditure connected with the Office of Works, and the First Commissioner then in office was now absent on leave from the House.

MR. GOLDSMID said, as no expenditure was allowed at the Office of Works without reference to the Treasury, the Secretary of the Treasury must have approved it.

In reply to Mr. MACDONALD,

THE CHANCELLOR OF THE EXCHEQUER said, that the compensations included in the Vote had no reference to the cases of certain officers of the Inland Revenue whose names he had promised to give.

MR. RYLANDS complained that the amount of compensation given to gentlemen who retired in the prime of life was continually increasing. This Vote would be added to a grand total of £433,000. It was becoming perfectly alarming, and he hoped the Government would be able to give the exact particulars.

MR. W. H. SMITH said, that full information was to be found at page 468 of the Estimates for this year. He fully admitted the danger there was in permitting these retiring allowances to grow. It was, however, impossible to effect improvements and economies in the public Departments without recognizing the claims which old public servants had upon the country when they were compelled to retire. No one could be more anxious than he was to keep these pensions within due bounds.

MR. CHILDERS fully recognized the good service which the hon. Gentleman had done in that direction, but, nevertheless, he felt bound to press for explanation upon the point. The number of Civil Service servants in these Departments had increased by 10, and their salaries had increased from £73,100 to £74,800 in the course of the year, and this in the face of this large additional sum being required for retirements.

MR. GOLDSMID thought that the matter required further explanation. If persons were entitled to retire, it would surely be known at the beginning of the year. He also thought that public servants who, after trial, were found to be incomptent to perform their duties ought to be discharged without compennsation, as private servants would be under similar circumstances.

MR. W. H. SMITH explained that it was impossible to foresee all the allowances that would be required in the coming year, and there were some that could be provided for only in the Supplementary Estimates; and as to inefficient servants, public servants could not be dealt with on the conditions described.

MR. RYLANDS said, the point was being avoided; for, in addition to the superannuation allowances, compensation allowances were asked for. They ought to have full information, or to strike the £8,000 from the Vote.

MR. O'REILLY said, that great expense was entailed on the country by the present system of compensation. Many cases were put down as "reductions in the Office." Did that mean reductions in the Office in which nothing had been done? The Committee were entitled, when an increased charge was put down on account of re-organization, to know that there was an economy in the Vote for the Office, and in the increased charge for compensation.

MR. W. H. SMITH said, that he would supply fuller information, and had no doubt he should be able to show increased efficiency. The actual cost of the Service would not be greater with these additions; economy and efficiency were sometimes obtained by paying a little more for a smaller number of persons.

MR. CHILDERS said, that in consequence of the promise given to supply further information, he should not move the reduction of the Vote. But how there could be a genuine reduction when the number was increased he could not understand.

MR. SAMPSON LLOYD said, that it was absolutely necessary in the Public Departments, to prevent stagnation in promotion, to retire the senior officers, so that younger men might be moved up from the bottom of the lists; and that would no doubt account for much of this increased charge.

MR. O'REILLY hoped that that principle would not be followed—that men would not be superannuated for the purpose of bringing about promotions.

THE CHANCELLOR OF THE EXCHEQUER said, that in the re-organization of offices it constantly happened that more work was thrown upon the officials than they had before performed; and if hon. Members would refer not to one year, but to a course of years, they would find that many new duties had been imposed. Though they superannuated old officers and brought forward new ones, yet if hon. Members would take a fair view of the transaction they would find that a considerable amount of economy had been effected.

Mr. GOLDSMID pointed out that they had had no explanation of a sum of £3,800 which had been expended, it was said, under the orders of the late First Commissioner of Works (Lord Henry Lennox); and for which no one appeared now to be able to be responsible.

Mr. E. J. REED said, it seemed to him that it was unfair to throw the responsibility upon the noble Lord in his absence. The Government were responsible for the expenditure.

Mr. DILLWYN moved to postpone the Vote.

The CHAIRMAN said, it was not competent to move the postponement of the Vote.

Mr. DILLWYN then moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Dillwyn.*)

Mr. CHILDERS said, he started this discussion, and after the promise which had been made by the Secretary to the Treasury, he thought they might agree to the Vote.

Mr. DILLWYN said, it was not satisfactory to him to vote money for purposes as to which they had no explanation.

Mr. W. H. SMITH said, he would give the required information on a future occasion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £1,550, Miscellaneous Expenses, *agreed to.*

(9.) £6,498, Mediterranean Extension Telegraph Company.

Mr. W. H. SMITH (in answer to Mr. Parnell) said, the payment was made under a deed dated in June, 1858.

Vote *agreed to.*

The Chancellor of the Exchequer

(10.) £1,820, Ashantee Expedition, Gratuities and Prize Pay, *agreed to.*

(11.) £10,980, Repayments to the Civil Contingencies Fund.

Sir H. DRUMMOND WOLFF asked whether any steps would be taken to induce Mr. Hertslet, at the Foreign Office, to publish a book of the despatches in the Foreign Office, as it would be a most valuable work?

Mr. W. H. SMITH was not able to give any information on the point, but he would undertake to inquire at the Foreign Office for it. He agreed that Mr. Hertslet had rendered most valuable information to the country.

Vote *agreed to.*

(12.) £54,000, Inland Revenue.

Mr. W. H. SMITH stated that it was the intention of the Treasury to lay before the Public Accounts Committee a proposal whereby the charge of each public Department would be in future years more accurately shown than could be done under the present system of cross Votes between one Department and another.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."— (*Mr. Sullivan.*)

Motion, by leave, *withdrawn.*

Vote *agreed to.*

(13.) £42,373 19*s.* 6*d.*, Civil Services and Revenue Departments (Excesses 1875-6), viz. :—

Class I.	£	*s.*	*d.*
Surveys of United Kingdom ..	3,331	3	3
Lighthouses Abroad	931	12	3
Class II.			
Treasury	26	12	8
Foreign Office	83	14	10
Colonial Office	318	9	3
Board of Trade	7,751	16	11
Civil Service Commission ..	326	19	10
Lord Lieutenant's Household ..	4	5	11
Public Record Office, Ireland, &c.	18	15	3
Class III.			
County Courts	12,818	9	8
Admiralty Court Registry ..	157	19	9
Land Registry	22	0	2
Convict Establishments, England and the Colonies	3,023	0	4

Law Charges and Criminal Prosecutions, Ireland	6,428	16	2
Common Law Courts, Ireland ..	497	3	11
Court of Bankruptcy, Ireland ..	104	10	5
Class IV.			
Universities, &c. Scotland ..	103	10	5
Class V.			
Grants in Aid of Colonies ..	24	3	8
Tonnage Bounties, &c. ..	1,076	1	10
Total Amount Voted for Civil Services	£37,049	6	6
Revenue Departments.			
Inland Revenue	5,324	13	0
Grand Total	£42,373	19	6

Vote *agreed to.*

(14.) £2,017 5*s*., Ashantee Expedition, 1875-6 (Excess) *agreed to.*

NAVY SUPPLEMENTARY ESTIMATES AND NAVY ESTIMATES.

(15.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment in respect of various 'Miscellaneous Services' during the year ending on the 31st day of March 1877."

Mr. PARNELL asked for what the Vote was required?

Mr. HUNT said, it was to meet a claim of £8,000 by the Indian Government for wear and tear of the *Serapis* on the voyage of the Prince of Wales to and from India.

Mr. GOURLEY could not understand how such a charge could arise, as the *Serapis* was specially fitted out at considerable expense for the voyage. He thought that some further explanation should be given in respect to it.

Mr. A. F. EGERTON said, the vessel was worked at a higher speed than usual, and her engines and hull suffered a greater depreciation than they would otherwise have done had she been worked at nine knots instead of 12.

Mr. D. JENKINS thought the Vote excessive, and moved that it be reduced by £4,000.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £4,000, be granted to Her Majesty, to defray the Charge which will come in course of payment in respect of various 'Miscellaneous Services' during the year ending on the 31st day of March 1877."—(*Mr. David Jenkins.*)

Mr. SHAW LEFEVRE asked whether the Vote was in addition to the sum already paid for the hire of the vessel?

Mr. A. F. EGERTON explained that no sum was paid for hire. The vessel was employed upon Imperial service in conveying the Prince of Wales, and it was upon that ground that the Indian Government claimed this sum. This subject had been very carefully considered by the India Office and the Admiralty, and the claim was reduced to £8,000, with the approval of the director of transports, on behalf of the Admiralty and the India Office, as a fair settlement.

Mr. W. WHITWORTH thought the sum was excessive, and that £4,000 would be adequate.

Mr. CHILDERS inquired by what calculation the sum of £8,000 had been arrived at?

Mr. A. F. EGERTON said, unfortunately he had not the calculations with him, but they had been carefully gone into both by the Admiralty and the India Office, and the former were quite satisfied as to their accuracy, and consented to pay the amount.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £2,684,048, be granted to Her Majesty, to defray the Expense of Wages, &c. to Seamen and Marines, which will come in course of payment during the year of March 1878."

Mr. GOSCHEN said, this was not a supplementary Estimate of a few thousands, but one of over £2,000,000, and would give rise to a discussion of the naval policy of the Government. When the right hon. Gentleman the First Lord of the Admiralty made his statement, it came on at so late an hour that it was impossible then to discuss the very many important and interesting points of policy that were raised in that statement, and it was arranged that this Vote should be taken on a day and at an hour when it could be thoroughly discussed. Under those circumstances, he asked the right hon. Gentleman whether he intended to proceed at that hour, or whether he would defer the

Committee to another day? If commenced then, it would be impossible to finish the discussion that night.

Mr. HUNT said, that when the money Estimates were put on the Paper for that night it was not supposed by the Government that the discussion on the supplemental Votes, standing before the Vote for wages for the men, would have occupied so long a time. He felt the force of the right hon. Gentleman's remarks, and, therefore, he would postpone the Vote until Monday, when it would stand first on the Paper.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," put, and *agreed to.*

Resolutions to be reported *To-morrow;*

Committee also report Progress; to sit again *To-morrow.*

SUPREME COURT OF JUDICATURE BILL.—[Bill 103.]

(*Mr. Attorney General, Mr. Assheton Cross, Mr. William Henry Smith.*)

SECOND READING.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

Mr. PARNELL moved that the Bill be read a second time that day six months. His object in doing so was to give the Government an opportunity of stating what necessity there was for the creation of this additional patronage, and how it was proposed to pay the new Judge to be appointed under it.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Parnell.*)

Mr. OSBORNE MORGAN said, that the Bill was a proper one, but he thought its value diminished by the statement which the Chancellor of the Exchequer made early in the evening in answer to a Question. He understood the right hon. Gentleman to have said that the new Judge whom it was proposed to appoint under this Bill would not be a Vice Chancellor at all, and would not have any staff, but would be appointed for the purpose of trying what were called Common Law actions, and would be called in when any Judge happened to be overloaded with work. In other words, he was to be a sort of journeyman Judge—a kind of judicial charwoman, who would be sent for when any part of the establishment could not get through its work. Now, he very much doubted whether that plan would be found to work well in practice, and whether a thoroughly good man would be found willing to take the new post on such terms. On a former occasion he had shown that the effect of the Supreme Court of Judicature Act had been to double the amount both of the contentious and administrative work in the Chancery Courts, and that the result had been a scandalous block of business both in Court and in Chambers. This Bill might alleviate the former evil, but it would aggravate the latter. For, if the new Judge, as was suggested, was to take nothing but purely contentious business, it would proportionately increase the administrative business of the other Judges, and would throw a still greater burden upon their Chief Clerks. Thus, if the Bill passed in its present shape, the evil would be partly remedied in one place, only to appear in a worse form in another.

The ATTORNEY GENERAL said, he thought the House would agree that the Government had shown a laudable promptness in adopting steps for grappling with the great block of business which existed in the Law Courts, especially in the Chancery Division. But for the vigilance of certain hon. Gentlemen on the opposite side of the House, who apparently deemed it their imperative duty to oppose every useful measure, in order that they might leave the House early, or to accomplish some other useful end, the Bill would long ago have been read a second time. When the hon. and learned Member (Mr. Osborne Morgan) called attention to the subject, a few weeks ago, everybody seemed agreed upon it; and on behalf of the Government it was stated that they were considering what steps should be taken to remedy the evils complained of. Notice was afterwards given of their intention to introduce a Bill for that purpose. The chief evil mentioned in the discussion on the hon. and learned Gentleman's Motion was the Common Law business, which created a great block in the Court of Chancery. That defect the Government attempted to remedy by appointing an additional Judge to assist the Vice Chancellors, whose main duty, at all events, it should be to grapple with cases of that description, though it was not intended that he should be exclusively so occupied. If a man of ability, of vigour, and of expedition were appointed to the new Judgeship, the cause of complaint would thus far, he contended, be removed; and as there was no reason to suppose the Government would not make such an appointment, great relief would, he had no doubt, be given to the Chancery Division. But then his hon. and learned Friend was of opinion that the Government did not go far enough, and that an additional staff was required for Chambers. Now it was, he thought, not well to multiply offices unless it was absolutely necessary to do so, and he did not think there was any such necessity in the present instance. It was, he believed, the fact that in the Chambers of the Vice Chancellors, the Chief and other Clerks were not in the habit of lending a helping hand to each other. It seemed to be with them much as used formerly to be the case in the Courts at Westminster, when one Court which might not be very popular was able to rise perhaps at 1 o'clock and the Judges were able to go home or disport themselves in the parks, whereas the Judges in a neighbouring Court which was more popular were obliged to toil all day. That being so some arrangement might, in his opinion, be made by which the work might be done in the Chancery Division by imposing more work on some of the clerks and diminishing the labour of others. If that could be done it would be better than creating an additional staff. If not, the Government would be obliged to screw up their courage to the sticking point and to create additional clerks.

MR. BIGGAR observed that the Notice of opposition of the Bill which had been given had obtained for the House the benefit of a very satisfactory explanation from the hon. and learned Gentleman.

MR. PARNELL also thought the explanation of the Attorney General perfectly satisfactory, and he should not, therefore, divide the House against the second reading.

Question proposed, "That the word 'now' stand part of the Question."

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

MARINE MUTINY BILL.

(*Mr. Hunt, Mr. Algernon Egerton, Sir Massey Lopes.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hunt.*)

MR. BIGGAR moved the adjournment of the debate, on the ground that the Bill had not been printed.

MR. PARNELL seconded the Motion.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Biggar.*)

The House *divided:*—Ayes 14; Noes 221: Majority 207.—(Div. List, No. 37.)

SIR PATRICK O'BRIEN explained that the Members who voted in the minority were not opposed to the Bill, and they had done so because they were under the impression that by the Standing Orders the Bill could not be proceeded with until it was printed. That question had been asked, and he thought the right hon. Gentleman who had charge of the Bill ought to have answered it. If he had, the time occupied in the division would probably have been saved.

MR. HUNT said, he happened to be in the Lobby when the Bill was called on, or he should have explained that it was not usual to print this Bill before it reached the Committee stage. No discourtesy was intended. This Bill followed the Mutiny Bill for the Army *mutatis mutandis,* and when alterations were made in the Mutiny Bill they were made in the Marine Mutiny Bill.

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

MUTINY BILL.

(*Mr. Gathorne Hardy, the Judge Advocate General, Mr. Stanley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient that the Mutiny Bill should empower the Government to billet officers without making any payment to the occupiers of the houses on which the officers are billetted; also that where horses are billetted a fair price should be paid for forage and stable room,"—(*Captain Nolan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CAVENDISH BENTINCK thought it would have been more convenient to raise this question in Committee on the Bill. His answer to the objection of the hon. and gallant Member was this, that every landlord took his licence with full notice of all his liabilities, and, among those, innkeepers were bound to give the accommodation officers desired without pay. If the hon. and gallant Member wished to revert to the subject when the Bill was in Committee he would be prepared to discuss the matter with him.

Sir CHARLES W. DILKE reminded the hon. Gentleman that his hon. and gallant Friend had last year raised this question in Committee on the Bill, and was then met by a technical objection.

Sir ALEXANDER GORDON hoped some explanation would be given of the reasons which had led the Secretary of State for War to introduce one of the most important changes in the Mutiny Act which had been made for many years. It was proposed in this Act to render all the officers of the Militia amenable to the Mutiny Act and the Articles of War when they were not embodied and not out for training or exercise. Such a proposal had not been made since the Act of Settlement in 1688, yet no explanation had been given. He should draw attention to the subject on going into Committee on the Bill and move a Resolution.

Sir WALTER B. BARTTELOT remarked that such an important change as that contemplated in the Bill with reference to bringing the Militia under the operation of the Articles of War, not only while they were embodied and out for training, but during the remainder of the year, should not have been made without due Notice having been given to the House, and a statement made, showing how it would be beneficial to the Militia, as well as for the interest of the country.

Mr. DILLWYN had always regarded the Bill in the light of a continuance Bill, and was astonished to find that important alterations had been made in it.

Mr. GATHORNE HARDY was surprised that the hon. Member for Swansea, who kept such a keen look-out upon the proceedings of Parliament, had overlooked the Paper in which these Amendments had been announced. As regarded the Amendment of the hon. and gallant Member, he thought it had no relevance to the second reading, however appropriately it might be raised on the Motion for going into Committee on the Bill. As regarded billeting he had never received any complaint from the innkeepers with respect to the billeting of officers, as they were such liberal customers that the profit the innkeeper received on the refreshments compensated for the price of their bed. As regarded the allowance for fodder, it might be sometimes below the market price and sometimes above it, but it was, on the whole, a fair charge. As to the point raised by the hon. and gallant Member for Aberdeenshire (Sir Alexander Gordon) with respect to the Militia, the Committee which inquired into the subject, and which included a number of Militia officers, recommended unanimously that this change should be made. The Militia was no longer the civilian corps it was formerly, and therefore it had been thought desirable to bring it rather more into conformity with the Regular Army.

Mr. PARNELL thought it was becoming too much a matter of course to pass the second reading without any discussion, and that hon. Members might have that opportunity he would move the adjournment of the debate.

Mr. BIGGAR seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Parnell.*)

MR. H. B. SAMUELSON said, it was quite a mistake to suppose the alterations in this Bill came upon the House like a thunder-clap, for he distinctly recollected the right hon. Gentleman, when moving the Army Estimates, stating what he intended to propose. He hoped the hon. Member (Mr. Parnell) would withdraw his Motion.

MR. GATHORNE HARDY also trusted that the Motion would be withdrawn.

Motion, by, leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question."

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

JUSTICES CLERKS BILL.—[BILL 5.]

(*Sir Henry Selwin-Ibbetson, Mr. Assheton Cross.*)

CONSIDERATION.

Bill, as amended, *considered.*

MR. H. B. SAMUELSON rose to move the following clause:—

[(Justices of peace shall administer oaths, &c.)

"After the passing of this Act, it shall be lawful for justices of the peace, if they think fit, to administer oaths and to receive statutory declarations, as the same are now administered and received by commissioners authorized for such purposes."

The hon. Gentleman said, the object of the clause was to bring cheap justice to the doors of poor people. Commissioners were often only to be reached after a needless, and therefore vexatious, waste of time and money. The fusion of Equity with Common Law had removed all grounds for limiting the power of administering oaths, &c., to Commissioners. He did not wish the justices to be absolutely bound, under all circumstances, to receive these declarations, but that they should have a permissive power to do so. The useful functions of Commissioners would not be abrogated, but would still continue to be exercised where more than the common printed forms were required. The proposal was not a new one, for its principle existed in the laws regulating patents for inventions and the regulation of trade marks, both of which allowed an applicant to elect to go either before a Commissioner or a magistrate. This clause would make a great saving of time and money to poor persons.

New Clause—(*Mr. H. B. Samuelson,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

SIR HENRY SELWIN-IBBETSON said, there were really very serious objections to the adoption of the clause. Under the present regulation security was taken against fraud by retaining the means of verifying the signatures of all the Commissioners before whom the oaths were taken. The clause, if adopted, would open the door to forgery and fraud. If the hon. Member would so amend the clause as to provide that a justice of the peace could only administer the oaths in petty sessions, and in the presence of the clerk, something might be said for it; but then they had the fact that the justices' clerk would be a solicitor, who was almost always a duly-qualified person to administer oaths, and the provision would be unnecessary.

MR. H. B. SAMUELSON said, he would read an extract from a letter he had received on the objection that forgery might be encouraged.

"I do not see how the clause can be imperilled, by the objection that forgery would be rendered easier. Statutory declarations and affidavits are never registered except when proceedings take place on them, and the justices could describe the name and place of swearing, &c."

His object was to save expense to poor people, which object he believed would be safely obtained by the passing of the clause.

Question put, and *negatived.*

Bill to be read the third time *To-morrow.*

CRIMINAL PUNISHMENTS (IRELAND) (APPLICATIONS FOR REMISSION.)

MOTION FOR A RETURN.

Motion made, and Question proposed,

"That there be laid before this House, a Return of the number of Applications for total or partial Remissions of Criminal Punishments awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused."—(*Captain Nolan.*)

SIR MICHAEL HICKS-BEACH declined to accede to the Return. There had been 3,200 memorials of this kind in the past year. Each would probably have attached to it a number of signatures, and without looking at any other fact such a Return would be most voluminous and expensive, and when obtained it would be useless.

MR. O'SHAUGHNESSY cordially supported the Motion for the Return. The magistracy being, in most cases, alien in race and religion to the people, it was desirable that there should be perfect openness as to the influences bearing on the administration of justice, in order that all grounds for distrust should disappear. The production of the Return would discourage the belief in what was popularly known as backstairs influence in Ireland—a belief which led people to think that the law could be overridden by private intervention. As to the question of cost, it was not asked that it should be printed. The mere production of it would deter men from attempting to bring undue influence to bear on the authorities.

Question put.

The House *divided:*—Ayes 18; Noes 79: Majority 61.—(Div. List, No. 38.)

PUBLIC HEALTH (IRELAND) BILL.

LEAVE. FIRST READING.

SIR MICHAEL HICKS-BEACH, in moving for leave to bring in a Bill to consolidate and amend the Acts relating to Public Health in Ireland, said, the main object of the measure was one of consolidation. The House would be aware that by the Act of 1874 certain powers in sanitary matters which were conferred on several local authorities were uniformly vested in urban sanitary authorities and Boards of Guardians. It was proposed by the Bill to consolidate this and other Acts and bring them to the compass of one Act. There were also some Amendments he proposed to introduce giving certain powers to rural sanitary authorities with reference to the structure of dwellings and closing houses unfit for human habitation. Another feature was making the burial districts coterminous with the sanitary area. It proposed to allow the Local Government Board, where a town was under the jurisdiction of a County Grand Jury, to transfer, subject to certain safeguards by Provisional Order, the powers of the Grand Jury to the town authority, without the consent of the Grand Jury. These were the main amendments in the law, with the exception that the Bill also proposed to extend the Local Government audit to the three towns of Cork, Kilkenny, and Waterford. He hoped the House would not be alarmed by the length of the Bill, which extended to no less than 290 clauses, because in the main they would only have the effect of bringing about the consolidation of existing Acts. He brought the Bill under the notice of the House, with hardly any exceptions, save those he had named, as a consolidation Bill. If discussion was invited he should be perfectly willing to submit it to a Select Committee for the purpose. He hoped that no objection would be offered to what he believed would be a useful consolidation of the law.

Motion *agreed to.*

Bill to consolidate and amend the Acts relating to Public Health in Ireland, *ordered* to be brought in by Sir MICHAEL HICKS-BEACH and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 116.]

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1876 and 1877, the sum of £1,213,502 6*s.* 9*d.* be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow;*

Committee to sit again *To-morrow.*

EMPLOYERS' LIABILITY FOR INJURIES TO THEIR SERVANTS.

Ordered, That the Select Committee of last Session, to inquire whether it may be expedient to render Masters liable for injuries occasioned to their Servants by the negligent acts of certificated managers of collieries, managers, foremen, and others to whom the general control and superintendence of workshops and works is committed, and whether the term "common employment" could be defined by legislative enactment more clearly than it is by Law as it at present stands, be re-appointed:—That the Committee do consist of Seventeen Members:—Mr. ATTORNEY GENERAL, Mr. LOWE, Mr. WYNDHAM, Sir HENRY JACKSON, Mr. WALTER STANHOPE, Mr. SHAW LEFEVRE, Sir DANIEL GOOCH, Mr. MACDONALD, Mr. TENNANT, Mr. MUNDELLA, Mr. KNOWLES, Mr. EUSTACE SMITH, Mr. GIBSON, Mr. MELDON, Mr. CAWLEY, Mr. HOPWOOD, and Mr. BULWER:—With power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Attorney General.*)

SOLDIERS, SAILORS, AND MARINES (CIVIL EMPLOYMENT).

Ordered, That the Select Committee of last Session, to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for, be re-appointed:—That the Committee do consist of Twenty-one Members:—Sir HENRY HAVELOCK, Lord EUSTACE CECIL, Colonel MURE, Lord ELCHO, Mr. CAMPBELL-BANNERMAN, General SHUTE, Captain PRICE, Sir GEORGE BALFOUR, Sir JOHN HAY, Mr. HANBURY-TRACY, Viscount HINCHINGBROOK, Mr. ERRINGTON, Mr. GERARD NOEL, Major O'GORMAN, Mr. JAMES CORRY, Mr. JOHN HOLMS, Mr. JOHN TALBOT, Mr. LAING, Sir CHARLES RUSSELL, Sir HENRY HOLLAND, and Mr. CHILDERS:—With power to send for persons, papers, and records; Five to be the quorum.

Ordered, That the Minutes of the Evidence taken before the Select Committee on Soldiers, Sailors, and Marines (Civil Employment) in Session 1876 be referred to the Select Committee on Soldiers, Sailors, and Marines (Civil Employment).—(*Mr. Childers.*)

NORFOLK AND SUFFOLK FISHERIES BILL.

On Motion of Mr. JAMES DUFF, Bill to preserve the Fisheries in the navigable rivers and broads of the counties of Norfolk and Suffolk and the city of Norwich, *ordered* to be brought in by Mr. JAMES DUFF, Lord RENDLESHAM, and Mr. COLMAN.

Bill *presented*, and read the first time. [Bill 117.]

House adjourned at a quarter after One o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXXXII.

FIRST VOLUME OF SESSION 1877.

Explanation of the Abbreviations.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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First Class Reserve Force—Numbers, Question, Mr. Briggs; Answer, Mr. Gathorne Hardy *Mar* 1, 1208

Surgeons—Ambulance Instruction, Question, Mr. Herbert; Answer, Mr. Gathorne Hardy *Feb* 16, 463

Auxiliary Forces

The Militia

Galway Artillery Regiments, Question, Mr. Morris; Answer, Mr. Gathorne Hardy *Feb* 22, 828

Militia Adjutants—Captain Singleton, Question, Mr. Wait; Answer, Mr. Gathorne Hardy *Mar* 8, 1568

Militia Lieutenants—Competitive Examinations, Question, General Shute; Answer, Mr. Gathorne Hardy *Mar* 15, 1965

Militia Recruits, Question, Mr. Sullivan; Answer, Mr. Gathorne Hardy *Feb* 26, 1017

Militia Surgeons—Warrant of 1876, Question, Colonel Mure; Answer, Mr. Gathorne Hardy *Mar* 15, 1974

Army—Case of Gunner Charlton

Amendt. on Committee of Supply *Mar* 5, To leave out from "That," and add "the facts disclosed in the case of the late Gunner Charlton call for the serious attention of the War Office, both as respects the cruelty inflicted upon the individual soldier, and the delay and uncertainty exhibited in reference to the compensation for his suffering and injuries" (*Sir Edward Watkin*) v., 1368; after short debate, Question, "That the words, &c.," put, and agreed to

Army—Soldiers, Sailors, and Marines (Civil Employment)

Ordered, That the Select Committee of last Session, to inquire how far it is practicable that Soldiers, Sailors, and Marines who have meritoriously served their Country should be employed in such Civil Departments of the public service as they may be found fitted for, be re-appointed *Mar* 15; List of the Committee, 2025

Ordered, That the Minutes of the Evidence taken before the Select Committee on Soldiers, Sailors, and Marines (Civil Employment) in Session 1876 be referred to the Select Committee on Soldiers, Sailors, and Marines (Civil Employment) (*Mr. Childers*)

Army (Courts Martial) Bill

(*Sir Colman O'Loghlen, Mr. Stacpoole*)

c. Ordered; read 1º* *Feb* 19 [Bill 93]

Ashley, Hon. A. Evelyn, *Poole*
Egypt and Abyssinia, 1569, 1571, 1851
International Maritime Law—Declaration of Paris, 1856, Res. 1303
Merchant Shipping Act, 1876—Explosive Substances Act, 1875—"Thomasina M'Lellan," The, 1756
Turkey—Bulgaria, Atrocities in, 167, 171
  Treaty of 1856, 518, 520

Asia, Central
Khelat—Afghanistan, Questions, Mr. Grant Duff ; Answers, Lord George Hamilton *Feb* 9, 124 ; Question, General Sir George Balfour ; Answer, Mr. Bourke *Feb* 22, 831 ; —*Treaty with Khelat,* Question, Mr. Robertson ; Answer, Lord George Hamilton *Mar* 15, 1965

Assheton, Mr. R., *Clitheroe*
Prisons, Comm. *cl.* 5, 870 ; *cl.* 10, Amendt. 1217
Sale of Intoxicating Liquors on Sunday, Leave, 361, 368

Assistant County Surveyors (Ireland) Bill (*Mr. William Johnston, Mr. Chaine, Mr. King-Harman*)
c. Ordered ; read 1°* *Mar* 2 [Bill 106]

Attorney General, The (Sir J. Holker), *Preston*
Ancient Monuments, 2R. 1540
Ballot Act—Marking of Ballot Papers, 1014
Colonial Marriages, 2R. 1178
Criminal Law Practice Amendment, 2R. 1959
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Balfour, Major-General Sir G., *Kincardineshire*
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  Pay and Allowances, 1440, 1441
Central Asia—Khelat, 831
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East India Finance, Motion for a Select Committee, 302, 305
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Balfour, Major-General Sir G.—*cont.*
Supply—Army Supplementary Estimate, 1978
  Winchester House, Purchase of, 1051
Threshing Machines, 2R. 343
Treasury and Exchequer Bills, 2R. 1586
Universities of Oxford and Cambridge, 2R. 612

Ballot Act—Marking of Ballot Papers
Question, Sir Charles W. Dilke ; Answer, The Attorney General *Feb* 26, 1014

Bank of England—Certificates of Death
Question, Mr. Gregory ; Answer, The Chancellor of the Exchequer *Mar* 8, 1566

Bankruptcy Law Amendment Bill [H.L.]
(*The Lord Chancellor*)
l. Presented ; read 1ª* *Mar* 2 (No. 18)

Banns of Marriage (Scotland) Bill
(*Dr. Cameron, Mr. Baxter, Mr. Barclay, Mr. M'Laren, Mr. Edward Jenkins, Mr. Ernest Noel*)
c. Ordered ; read 1°* *Feb* 9 [Bill 31]

Barbadoes—Mr. Pope Hennessy
Question, Mr. Greene ; Answer, Mr. J. Lowther *Mar* 5, 1977

Barclay, Mr. J. W., *Forfarshire*
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Game Laws (Scotland) Amendment, 2R. 774
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Roads and Bridges (Scotland), Leave, 239

Bar of England and of Ireland Bill
(*Sir Colman O'Loghlen, Mr. Downing, Mr. William Johnston, Mr. Meldon*)
c. Ordered ; read 1°* *Feb* 13 [Bill 80]

Barran, Mr. Alderman J., *Leeds*
Public Health—Vaccination, 737

Barttelot, Colonel Sir W. B., *Sussex, W.*
Army Estimates—Land Forces, 1410
Cattle Plague, 828 ;—Outbreak at Hull, 1087
Ecclesiastical Offices and Fees, 2R. 762
Local Administration—Representative County Boards, Res. 1696
Mutiny, 2R. 2020
Prisons, 2R. 439 ; Comm. *cl.* 5, 868 ; *cl.* 7, Amendt. 873 ; *cl.* 11, Amendt. 1223, 1228
Valuation of Property, Leave, 213 ; 2R. 1605

Bath, Marquess of
Turkey—Instructions, The, 677
  Papers, The—Consul Freeman's Report, 460

Baxter, Right Hon. W. E., *Montrose, &c.*
Admiralty Administration, Res. 1485, 1487
Intoxicating Liquors (Scotland), 2R. 1910
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BEACH, Right Hon. Sir M. E. HICKS- (Chief Secretary for Ireland), *Gloucestershire, E.*
- Beer Licences (Ireland), 2R. 338; Consid. *cl.* 1, Amendt. 1643; *cl.* 2, Amendt. 1644
- Education—Celtic and Welsh Languages, 1359
- Ireland—Miscellaneous Questions
  - Admiralty Jurisdiction (Ireland) Act, 1876—Rules and Orders, 827
  - Cattle Disease—Order in Council—Illicit Distillation, 824; — Pleuro-Pneumonia Order, 1876, 1016
  - Constabulary—Assistant Inspector General, 1256; — Case of Superintendent Hill, 178;—Constable Maloney, Case of, 826; —Deputy Inspector General, Appointment of, 1361;—Drill and Guard Mounting, 734
  - County Cess Collectors, 1567
  - Criminal Law—Unlawful Killing of a Dog, 1968
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  - Intermediate Education, 374
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  - Magistrates — Debtors Act—Removal of Mr. W. J. Devlin, 384;—Appointment of, 469, 470, 733
  - National School Teachers—Payment by Fees, 375
  - Poor Law Unions Amalgamation, 828, 1525
  - Public Health—Vaccine Lymph, 1092
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  - Sunday Closing of Public Houses, 124
  - Tenants of Church Lands, 465
- Ireland—Criminal Punishments (Applications for Remissions), Motion for a Return, 2023
- Irish Church Acts Amendment, 2R. 352
- Irish Society of London, Motion for a Select Committee, 1132
- Prisons (Ireland), Leave, 144; 2R. 455, 457, 458
- Public Health (Ireland), Leave, 2023
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BEACH, Mr. W. W. B., *Hampshire, N.*
- Prisons, Comm. *cl.* 8, 881

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  - Business of the House, 459
- Railway Accidents—Legislation, 255
- Treasury and Exchequer Bills, 2R. 1962
- Turkey—Instructions, The, 709, 714, 720, 723
  - Personal Explanations, 798, 799, 803

BEAUCHAMP, Earl (Lord Steward of the Household)
- Employers and Servants—"Common Employment," Motion for a Select Committee, 890
- Local Government of the Metropolis, Motion for Returns, 1741
- Metropolitan Board of Works (Election of Members), 2R. Amendt. 1349

BEAUMONT, Major F. E. B., *Durham, S.*
- Tramways (Use of Mechanical Power), Motion for a Select Committee, 1085

Beerhouses, &c. (Ireland) Bill—*Afterwards* **Beer Licences (Ireland) Bill**
(*Mr. Meldon, Mr. Charles Lewis, Mr. Whitworth*)
- *c.* Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°*
  - Moved, "That the Bill be now read 2°" *Feb* 13, 337
  - Moved, "That the Debate be now adjourned" (*Mr. Eustace Smith*); after short debate, Question put, and negatived; original Question put, and agreed to; Bill read 2° [Bill 57]
  - Committee*—R.P. *Feb* 23
  - Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Feb* 26, 1072; Question put, and agreed to; Committee; Report [Bill 101]
  - Considered* *Mar* 7
  - Moved, "That the Bill be now further considered" *Mar* 8, 1642
  - Moved, "That the Debate be now adjourned" (*Mr. Macdonald*); after short debate, Question put, and negatived
  - Original Question put, and agreed to; Bill further considered
  - Read 3°* *Mar* 9
- *l.* Read 1ª* (*The Lord President*) *Mar* 12 (No. 23)

BELMORE, Earl of
- Kidnapping in the South Seas, Address for Correspondence, 1197, 1202

BENETT-STANFORD, Mr. V. F., *Shaftesbury*
- Irish Church Acts Amendment, 2R. 352

BENTINCK, Right Hon. G. A. F. Cavendish (Judge Advocate General), *Whitehaven*
- Ancient Monuments, 2R. 1546
- Army—Courts Martial, 379
- Mutiny, 2R. 2019

BENTINCK, Mr. G. W. P., *Norfolk, W.*
- Admiralty Administration, Res. 1484
- International Maritime Law—Declaration of Paris, 1856, Res. 1300
- Navy, State of—Boilers, 1791

BERESFORD, Colonel F. M., *Southwark*
- Prisons, Comm. *cl.* 8, 880

BIGGAR, Mr. J. G., *Cavan Co.*
- Beer Licences (Ireland), Consid. *cl.* 1, 1643
- County Officers and Courts (Ireland), Leave, 246
- Criminal Punishments (Ireland) (Applications for Remissions), Motion for a Return, 1900
- International Maritime Law—Declaration of Paris, 1856, Res. 1340
- Justices Clerks, Comm. *cl.* 4, 1642
- Marine Mutiny, 2R. Motion for Adjournment, 2018
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Prisons (Ireland), 2R. 456
Sale of Intoxicating Liquors on Sunday (Ireland), 1155
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Supreme Court of Judicature, 2R. 2017
Threshing Machines, Comm. 1195, 1196
Valuation of Property, 2R. 1636
Ways and Means, Comm. 1248

Blake, Mr. T., *Leominster*
Navy—Training Ship "Britannia"—"Bullying," 1975

Boord, Mr. T. W., *Greenwich*
Army Estimates—Plumstead Common, 1855
Cleopatra's Needle, 463
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Bourke, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis*
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  Embassy Houses, 1054
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  Bulgaria, Atrocities in, 168, 171, 391, 392, 1258, 1576 ;—Petition from, 1021, 1022, 1090, 1091 ;—Shefket Pasha, 830 ;—Tossoun Bey, Acquittal of, 1259
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Brand, Right Hon. H. B. W., (*see* **Speaker**, The)

Brewers' Licences—A Select Committee
Question, Sir Edward Watkin; Answer, The Chancellor of the Exchequer *Feb* 27, 1090

Briggs, Mr. W. E., *Blackburn*
Army—First Class Reserve Force, 1208
Judicature Acts—Report of the Commission, 1019

Bright, Mr. J., *Manchester*
International Maritime Law—Declaration of Paris, 1856, Res. 1293, 1301
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Prisons, Comm. *cl.* 8, 883

Bristowe, Mr. S. B., *Newark*
Prisons, Comm. *cl.* 6, 872 ; *cl.* 13, 1231

Brooks, Mr. M., *Dublin*
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Bruen, Mr. H., *Carlow Co.*
Inland Revenue Staff (Ireland), 1447
Poor Law Unions Amalgamation (Ireland), Motion for a Select Committee, 1525

Bulwer, Mr. J. R., *Ipswich*
Justices Clerks, Comm. *cl.* 4, 1641

Burial Acts Consolidation Bill
(*The Lord President*)
l. Presented ; read 1ª, after short debate *Mar* 13, 1833 (No. 27)

Burials Bill (*Mr. Osborne Morgan, Mr. Shaw Lefevre, Mr. Alderman M'Arthur, Mr. Richard*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 36]

Burt, Mr. T., *Morpeth*
  Merchant Shipping Acts — The Steamship "Prince," 1854

Bury, Lord
  Turkey—Treaties of 1856-1871, Motion for an Address, 1012

Butler-Johnstone, Mr. H. A., *Canterbury*
  International Maritime Law—Declaration of Paris, 1856, Res. Motion for Adjournment, 1340

Butt, Mr. I., *Limerick City*
  Election Petitions and Corrupt Practices at Elections Act, 1868, 1204
  Irish Church Acts Amendment, 2R. 356
  Local Administration—Representative County Boards, Res. 1730
  Parliament—Business of the House, Res. 334, 336
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  Coolie Emigration to Surinam, 893
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  India—Residence of the Viceroy at Simla, 1210
    Royal Titles Act—"Kaiser-è-Hind," 1211, 1212
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  Army Estimates, Comm. 1402, 1403
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  Metropolitan Board of Works (Election of Members), 2R. 1345, 1357

Canada, Dominion of—Northern Pacific Railway
  Question, Mr. Errington; Answer, Mr. J. Lowther *Feb* 19, 576

Canterbury, Archbishop of
  Burial Acts Consolidation, 1R. 1845

Capital Punishment Abolition Bill (*Mr. Pease, Mr. Leeman, Mr. M'Laren*)
c. Ordered; read 1°* *Feb* 21 [Bill 96]

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  Parliament—Address in Answer to the Speech, 52

Carlingford, Lord
  Irish Peerage, 2R. 1753

Carnarvon, Earl of (Secretary of State for the Colonies)
  Colorado or Potato Beetle, 807
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Cattle Plague
  Outbreak in Essex and Yorkshire, Question, Observations, Earl Fortescue; Reply, The Duke of Richmond and Gordon; short debate thereon *Feb* 22, 807
  Outbreak at Hull, Questions, Sir Walter Barttelot, Mr. Norwood; Answers, Viscount Sandon *Feb* 27, 1087; Question, Colonel Kingscote; Answer, Viscount Sandon *Mar* 12, 1762; — *The West Riding*, Question, Mr. W. Lowther; Answer, Viscount Sandon *Mar* 5, 1366

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China—The Expedition to Yunnan
Question, Mr. Mark Stewart; Answer, Mr. Bourke *Feb* 19, 584

Church of England—Ecclesiastical Dilapidations Acts
Question, Mr. Monk; Answer, Mr. Assheton Cross *Mar* 1, 1208

Church Rates Abolition (Scotland) Bill
(*Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Grieve, Mr. Laing, Sir George Balfour*)
c. Ordered; read 1° * *Feb* 9 [Bill 30]

City Companies (Oaths by Freemen)
Moved, "That there be laid before this House, a Return of all Oaths or Declarations made by the Master, Assistants, Freemen, Clerk, or other Officer, on assumption of office in each of the eighty-nine Companies mentioned in the Second Report of the Municipal Commissioners, 1837" (*Mr. James*) *Feb* 19, 632; after short debate, Question put; A. 80, N. 43; M. 37 (D. L. 10)

Cleopatra's Needle
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CLIVE, Mr. G., *Hereford*
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Park Hall Colliery Explosion, Question, Mr. Allen; Answer, Mr. Assheton Cross *Mar* 15, 1976

COCHRANE, Mr. A. D. W. R. Baillie, *Isle of Wight*
International Maritime Law—Declaration of Paris, 1856, Res. 1276, 1342
Supply—Colonial Local Revenue, &c. 1984
Turkey—Treaty of 1856, 511, 520

COLE, Mr. H. T., *Penryn, &c.*
Judicature Acts—Increase of the Judicial Staff, 976

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
Educational Endowments, Scotland, 379
Parliament—Scotch Business, 940
Roads and Bridges (Scotland), Leave, 238
Tramways (Use of Mechanical Power), Motion for a Select Committee, 1085

COLLINS, Mr. E., *Kinsale*
Metropolitan Asylum District Board, Motion for a Select Committee, 754
Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 197

Colonial Marriages Bill
(*Mr. Knatchbull-Hugessen, Mr. Russell Gurney, Sir Thomas Chambers*)
c. Ordered; read 1° * *Feb* 9 [Bill 29]
Moved, "That the Bill be now read 2°" *Feb* 28, 1164
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*); after debate, Question put, "That 'now,' &c.;" A. 192, N. 141; M. 51
Division List, A. and N., 1191
Main Question put, and agreed to; Bill read 2°
Questions, Mr. Knatchbull-Hugessen, Mr. Heygate; Answers, The Chancellor of the Exchequer *Mar* 1, 1215

Commons
Ordered, That a Select Committee be appointed, Six Members to be nominated by the House and Five by the Committee of Selection, to consider every Report made by the Inclosure Commissioners certifying the expediency of any Provisional Order for the inclosure or regulation of a Common, and presented to the House during the present Session, before a Bill be brought in for the confirmation of such Order; Instruction to the Committee (*Sir Henry Selwin-Ibbetson*); List of the Committee *Feb* 26, 1075

Companies Acts Amendment Bill
(*Mr. Chadwick, Sir Henry Jackson, Mr. Sampson Lloyd, Mr. Rylands, Mr. Hopwood, Mr. Benjamin Whitworth*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 45]
Bill withdrawn* *Mar* 7

Companies Acts Amendment (No. 2) Bill
(*Mr. Chadwick, Sir Henry M. Jackson, Mr. Sampson Lloyd, Mr. Rylands, Mr. Hopwood, Mr. B. Whitworth*)
c. Ordered; read 1°* *Mar* 7 [Bill 109]

Conge D'Elire Bill (*Mr. Monk, Mr. Forsyth, Sir Thomas Chambers, Mr. Ashley*)
c. Ordered; read 1°* *Feb* 9 [Bill 35]

Consolidated Fund (£350,000) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Considered in Committee *Mar* 1
Resolution reported, and agreed to; Bill ordered; read 1°* *Mar* 2
Read 2°* *Mar* 5
Committee*; Report *Mar* 6
Read 3°* *Mar* 7
l. Read 1ª* (*The Lord Privy Seal*) *Mar* 8
Read 2ª; Committee negatived; Standing Orders Nos. XXXVII. and XXXVIII. considered, and dispensed with; Bill read 3ª
Royal Assent *Mar* 12 [40 *Vict.* c. 1]

Contingent Remainders Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *Mar* 2 (No. 17)
Read 2ª *Mar* 12, 1736

Coolies
Coolie Emigration to Surinam, Question, Dr. Cameron; Answer, Lord George Hamilton *Feb* 23, 893
Island of Réunion, Question, Mr. Errington; Answer, Mr. Bourke *Feb* 20, 732

Coope, Mr. O. E., *Middlesex*
Metropolitan Asylum District Board, Motion for a Select Committee, 754
Thames Valley, Floods in, 1573
War Office—Sanitary State, 1572

Cotton, Mr. Alderman W. J. R., *London*
Prisons, 2R. 450

County Boards (Ireland) Bill
(*Captain Nolan, Mr. Fay, Mr. O'Clery*)
c. Ordered; read 1°* *Feb* 22 [Bill 100]

County Courts Jurisdiction Bill
(*Mr. Joseph Cowen, Mr. Rowley Hill, Mr. Ripley, Mr. Eustace Smith*)
c. Ordered; read 1°* *Feb* 12 [Bill 71]

County Courts Jurisdiction Extension Bill
(*Sir Eardley Wilmot, Mr. Forsyth*)
c. Ordered; read 1°* *Mar* 7 [Bill 110]

County Officers and Courts (Ireland) Bill
(*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*)
c. Motion for Leave (*The Solicitor General for Ireland*) *Feb* 12, 242; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 67]

County Training Schools and Ships Bill
(*Captain Pim, Mr. Coope*)
c. Ordered; read 1°* *Feb* 12 [Bill 73]

Courtney, Mr. L. H., *Liskeard*
Justices Clerks, Comm. *cl.* 2, 1639; *cl.* 4, 1641
Turkey—Treaty of 1856, 506

Cowen, Mr. J., *Newcastle-on-Tyne*
Army—Provost Prisons, Soldiers in, 897
Criminal Law—John Hunt, Case of, 378
Open Spaces (Metropolis), Comm. 1249
Prisons, Comm. *cl.* 20, 1245
Turkey—Treaty of 1856, 571

Cowper, Earl
Employers and Servants—"Common Employment," Motion for a Select Committee, 891

Criminal Law
Miscellaneous Questions
Alleged Outrage at Stamford, Questions, Mr. Sullivan; Answers, Mr. Assheton Cross *Mar* 1, 1217; *Mar* 15, 1970
Case of John Hunt, Question, Mr. J. Cowen; Answer, Mr. Assheton Cross *Feb* 15, 378
Case of Thomas Cunliffe, a Miner, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Feb* 20, 730
Conviction for Manslaughter at Durham, Question, Mr. Owen Lewis; Answer, Mr. Assheton Cross *Mar* 8, 1582
Costs in Poaching Cases—Lord Chief Justice Coleridge, Question, Sir Charles Legard; Answer, Mr. Assheton Cross *Mar* 5, 1363; Question, Observations, Viscount Midleton; Reply, The Lord Chancellor; short debate thereon *Mar* 6, 1444; Observations, Sir Charles Legard *Mar* 13, 1858
Devonport Watch Committee, Question, Sir Wilfrid Lawson; Answer, Mr. Assheton Cross *Mar* 12, 1755
Murder at Rochdale, Question, Mr. James; Answer, Mr. Assheton Cross *Mar* 12, 1754
The Convict Treadaway, Question, Sir James Lawrence; Answer, Mr. Assheton Cross *Mar* 5, 1361
The Escaped Fenian Convicts, Question, Mr. Goldsmid; Answer, The Chancellor of the Exchequer *Feb* 15, 383

[*cont.*

Criminal Law—*cont.*

The Queen v. *Castro*, Question, Mr. Whalley; Answer, Mr. Assheton Cross *Mar* 9, 1650;—*Order*, Observations, Mr. Speaker, 1733;—*Witnesses*, Question, Mr. Whalley; Answer, Mr. Assheton Cross *Mar* 13, 1857;—The "Questions" having been gone through, Observations, Mr. Whalley, Mr. Speaker, 1860

Unlawful Killing of a Dog (*Ireland*), Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Mar* 15, 1967

Criminal Law Evidence Amendment Bill
(*Mr. Ashley, Mr. Russell Gurney, Mr. George Clive*)
c. Ordered; read 1°* *Feb* 12 [Bill 76]

Criminal Law Practice Amendment Bill
(*Mr. Serjeant Simon, Mr. Gregory, Mr. Cole, Mr. Herschell*)
c. Ordered; read 1°* *Feb* 13 [Bill 78]
Read 2°, after short debate *Mar* 14, 1959

Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
Army—Criminal Offences in Military Districts, 582
Borough Magistrates—City of Exeter, 1358
Carlisle Place Orphanage, 175
City Companies (Oaths by Freemen), Motion for a Return, 632
Coal Mines—Darcy Lever Colliery, Explosion in, 728
Coal Mines Regulation Act—Home Farm Colliery, Lanark, 575, 576
  Park Hall Colliery Explosion, 1976
Criminal Law—Miscellaneous Questions
  Conviction for Manslaughter at Durham, 1582
  Devonport Watch Committee, 1755
  John Hunt, Case of, 379
  Queen v. Castro, 1651, 1858
  Rochdale, Murder at, 1754
  Stamford, Alleged Outrage at, 1217, 1970
  Thomas Cunliffe, Case of—A Miner, 730
  Treadaway, The Convict, 1361
Cruelty to Animals, Motion for an Address, 634
Ecclesiastical Dilapidations Acts, 1208
Ecclesiastical Offices and Fees, 2R. 768, 770
Educational Endowments, Scotland, 380
Election Petitions and Corrupt Practices at Elections Act, 1868, 1204
Factory and Workshop Acts—The Canal Population, 375
Floods, The, 1977
Free Libraries, Return, 580
German Subjects in England—German Army, 1857
Intoxicating Liquors (Scotland), 2R. 1954
Licensing Act, 1872—Sale of Beer by Retail, 1020
Licensing—Middlesex Magistrates, 1088
Lord Chamberlain's Department — Fires in Places of Amusement, 129
Lord Chief Justice Coleridge—Costs in Poaching Cases, 1364

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Cross, Right Hon. R. A.—*cont.*
Lunacy Law, Motion for a Select Committee, 247
Magistracy, The—The Mayor of Bury, Lancashire, 1091
Metropolitan Street Improvements, 1579
Open Spaces (Metropolis), 2R. 1195; Comm. 1249
Parliament—Scotch Business, 935, 954, 955, 956, 957
Parliamentary and Municipal Registration, 2R. 1961
Pensions to Police Constables' Widows, 1216
Police Superannuation, 898
Prisons, Leave, 132, 140; 2R. 447; Comm. 847, 864; *cl.* 1, 866; *cl.* 3, *ib.*; *cl.* 5, 867, 869; *cl.* 6, 872, 873; *cl.* 7, 874; *cl.* 8, 875, 884; *cl.* 10, 886, 1218, 1220, 1221; *cl.* 11, 1225, 1227, 1229; *cl.* 14, 1232, 1233, 1238, 1239; *cl.* 19, 1241; *cl.* 20, 1242, 1243, 1244, 1245, 1247
Prisons—Millbank Dietary, 1209
  Prison Officials, 1852
Public Health (Metropolis)—Small-pox Hospitals, 1855
Railway Accidents Commission—The Evidence, Papers, and Report, 259
Sale of Intoxicating Liquors on a Sunday, Leave, 367
Summary Prosecutions, Leave, 157
Supply—Public Buildings, 1041
Thames Valley, Floods in the, 1573
Threshing Machines, 2R. 345
United States — Extradition — Brent's Case, 1762

Crossed Cheques on Bankers Bill
(*Mr. Hubbard, Mr. Goschen, Mr. Alderman Cotton, Mr. Twells*)
c. Ordered; read 1°* *Feb* 9 [Bill 26]

Cruelty to Animals

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, a Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying, &c." [then the specifications are set forth] (*Mr. Mundella*) *Feb* 19, 633; after short debate Motion withdrawn—Then

Address for "Return of Licences granted under the Act (39 and 40 Vic. c. 77) to 'amend the Law relating to Cruelty to Animals,' specifying,—

"1. The number of persons to whom such Licences have been granted since the Act came in force, and the names of all registered places;

"2. The number of Licences in which the (optional) provision (Clause 7), requiring that the place wherein the experiment is performed shall be registered, has been inserted;

"3. The number of Certificates which have been received under Clause 3, permitting experiments as illustrations of lectures to students;

[*cont.*

Cruelty to Animals—cont.
"4. The number of Certificates which have been received under Clause 5, permitting experiments on cats, dogs, horses, mules, or asses ;
"5. The number of Certificates (special) which have been received for performing experiments without anæsthetics, and the number of such experiments in which curare has been employed ;
"6. The scientific authorities who have in each case granted such Certificates" (*Mr. Mundella*), agreed to

Cruelty to Animals Bill
(*Mr. Holt, Mr. Hardcastle, Mr. Charles Wilson*)
c. Ordered ; read 1° * *Feb* 9 [Bill 7]

CUBITT, Mr. G., *Surrey, W.*
London, Brighton, and South Coast Railway (Various Powers), 2R. 1255

CUNINGHAME, Sir W. J. M., *Ayr, &c.*
Intoxicating Liquors (Scotland), 2R. 1921

Customs and Inland Revenue (Duties on Offices and Pensions) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Considered in Committee *Feb* 15
Resolution reported, and agreed to ; Bill ordered ; read 1° * *Feb* 16 [Bill 91]
2R. deferred, after short debate *Mar* 9, 1733

DALRYMPLE, Mr. C., *Buteshire*
Ancient Monuments, 2R. 1537
Army Estimates—Land Forces, 1439
Intoxicating Liquors (Scotland), 2R. 1937

DE LA WARR, Earl
Employers and Servants—" Common Employment," Motion for a Select Committee, 886, 892
Local Government of the Metropolis, Motion for Returns, 1736
Metropolitan Board of Works (Election of Members), 2R. 1354
Railway Accidents—Legislation, 254

DENISON, Mr. C. BECKETT-, *Yorkshire, W.R., E. Div.*
East India Finance, Motion for a Select Committee, 295
Metropolis—Hyde Park Corner, 898
Parliament—Business of the House, Res. 333

DENMAN, Lord
Irish Peerage, 2R. 1753

DERBY, Earl of (Secretary of State for Foreign Affairs)
Captain Burnaby—Recall from Russia and Asia, 1748, 1749, 1752
North America—Extradition, 250
Parliament—Address in Answer to the Speech, 32

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DERBY, Earl of—*cont.*
Roumania—Treaty of Commerce, 573
Turkey—Miscellaneous Questions
Instructions, The, 652, 659, 726
Marquess of Salisbury's Embassy—The Despatch, 253
Negotiations, 1832
Papers—Consul Freeman's Report, 460
Personal Explanations, 805
Turkey—Treaties of 1856-1871, Motion for an Address, 1000, 1007

DICKSON, Mr. T. A., *Dungannon*
Magistrates, Ireland—Debtors Act—Removal of Mr. W. J. Devlin, 384 ;—Appointment of, 733

DILKE, Sir C. W., *Chelsea, &c.*
Ballot Act, The—Marking of Ballot Papers, 1014
House Occupiers Disqualification Removal, 2R. Motion for Adjournment, 181, 339
Mutiny, 2R. 2019
Parliament—Business of the House, Res. 336
Parliamentary and Municipal Registration, 2R. 1960, 1961
Registration of Borough Voters, 2R. 795
Sale of Intoxicating Liquors on Sunday, Leave, 362
Supply—Colonial Local Revenue, &c. Amendt. 1996, 1999
Diplomatic Services, 1978, 1979
Turkey—Treaty of 1856, 834
Turkey and Russia — Prince Gortchakoff's Circular, 462, 1569

DILLWYN, Mr. L. L., *Swansea*
Civil Service Estimates—Proposed Ministerial Statement, Res. 1036
House Occupiers Disqualification Removal, 2R. 182
Lunacy Law, Motion for a Select Committee, 246
Mutiny, 2R. 2019
Parliament — Business of the House, Res. Amendt. 336
Patents for Inventions, Leave, 225
Prisons, Comm. *cl.* 20, 1245
Supply—British Embassy Houses, &c. 1056, 1057
Colonial Local Revenue, &c. 1997
Egypt—Cave, Mr., Mission of, 2008
Superannuation and Retired Allowances, &c. Motion for reporting Progress, 2011

Divine Worship Facilities Bill
(*Mr. Wilbraham Egerton, Mr. Birley, Mr. Whitwell, Mr. Rodwell*)
c. Considered in Committee ; Resolution agreed to, and reported ; Bill ordered ; read 1° * *Feb* 9 [Bill 47]

Dock Warrants Bill
(*Sir John Lubbock, Sir James Hogg, Sir Charles Mills, Mr. Watkin Williams*)
c. Considered in Committee ; Resolution agreed to, and reported ; Bill ordered ; read 1° * *Feb* 19 [Bill 94]

Dodson, Right Hon. J. G., *Chester*
Civil Service Estimates—Proposed Ministerial Statement, Res. 1035
Justices Clerks, Comm. *cl.* 2, 1640
Local Administration—Representative County Boards, Res. 1716
Prisons, Comm. *cl.* 6, Amendt. 871, 872; *cl.* 11, 1228; *cl.* 14, 1236
Supply—Embassy Houses, 1055
Treasury and Exchequer Bills, 2R. 1586

Dorchester, Lord
Captain Burnaby—Recall from Russia and Asia, 1745, 1749

Downing, Mr. M'Carthy, *Cork Co.*
Admiralty Jurisdiction (Ireland) Act, 1876—Rules and Orders, 827
County Officers and Courts (Ireland), Leave, 246
Navy—Boys, Ireland, 831
Prisons, Leave, 134; Comm. *cl.* 5, 869
Prisons (Ireland), 2R. 454

Drainage and Improvement of Lands (Ireland) Provisional Orders Bill
(*Mr. William Henry Smith, Sir Michael Hicks-Beach*)
c. Ordered; read 1° * *Mar* 7 [Bill 108]
Read 2° * *Mar* 12

Dudley, Earl of
Turkey—Instructions, The, 698

Duff, Mr. M. E. Grant, *Elgin, &c.*
Ancient Monuments, 2R. 1536
Army—Captain Burnaby, Recall of, 1381, 1385, 1580
Foreign Office and Diplomatic Service—Open Competition, Res. 917
Game Laws (Scotland) Amendment, 2R. 781
India—Khelat—Afghanistan, 124, 125
International Maritime Law—Declaration of Paris, 1856, Res. 1281
Intoxicating Liquors Retail, Res. 1891
Parliament—Queen's Speech, Address in Answer to—Report, 129
Turkey—Treaty of 1856, 513, 514
Universities of Oxford and Cambridge, 2R. 597

Duff, Mr. R. W., *Banffshire*
Navy, State of the—Boilers, 1804

Dunbar, Mr. J., *New Ross*
Army Medical Department — Appointments, 389
East India Finance, Motion for a Select Committee, 307
Indian Ordnance Corps—Pensioners, &c. 895
Sale of Intoxicating Liquors on Sunday (Ireland), 1155

Dunsany, Lord
Employers and Servants—"Common Employment," Motion for a Select Committee, 892
Metropolis—Hyde Park Corner, 165

Dyke, Sir W. H. (Secretary to the Treasury), *Kent, Mid*
Sale of Intoxicating Liquors on Sunday (Ireland), 1156

Ecclesiastical Offices and Fees Bill
(*Mr. Cowper-Temple, Mr. Russell Gurney*)
c. Ordered; read 1° * *Feb* 9 [Bill 12]
Moved, "That the Bill be now read 2°" *Feb* 21, 755; after short debate, Question put, and agreed to; Bill read 2°, and ordered to be referred to a Select Committee
Moved, "That the Select Committee have power to send for persons, papers, and records" (*Mr. Beresford Hope*); after short debate, Motion withdrawn
Select Committee nominated; List of the Committee *Mar* 2, 1344

Edmonstone, Admiral Sir W., *Stirlingshire*
Admiralty Administration, Res. 1503

Education
Education Department
The Education Code, 1876—*Article* 60, Question, Mr. Kay-Shuttleworth; Answer, Viscount Sandon *Feb* 19, 579
New Education Code (1877), Questions, Mr. Fawcett, Mr. W. E. Forster; Answers, The Chancellor of the Exchequer, Viscount Sandon *Mar* 1, 1216; — *The Celtic and Welsh Languages*, Question, Mr. O'Clery; Answer, Sir Michael Hicks Beach *Mar* 5, 1359

Elementary Education (*England*) *Act—Birmingham School Board*, Question, Mr. J. G. Talbot; Answer, Viscount Sandon *Mar* 13, 1852
Free Libraries Return, Question, Mr. James; Answer, Mr. Assheton Cross *Feb* 19, 580

Education (*Training of Teachers*)
Moved, That a Select Committee be appointed "to inquire into the system of apprenticeship of Pupil Teachers in Elementary Schools, and into the constitution of Training Colleges for Elementary Teachers" (*Mr. B. Samuelson*) *Feb* 27, 1139; after debate, Question put; A. 46, N. 104; M. 58 (D. L. 18)

Edwards, Mr. H., *Weymouth*
Metropolis—Hyde Park Corner—Constitution Hill, 1205
Navy—Naval College, 1577

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
Admiralty Administration, Res. 1489
Navy—H.M.S. "Vanguard," 1778
Supply—Miscellaneous Services, 2013, 2014

EGYPT

British Officials in Egypt—Mr. Fitzgerald, Question, Sir George Campbell; Answer, Lord George Hamilton *Mar* 1, 1210

Egypt and Abyssinia, Questions, Mr. Evelyn Ashley, Mr. Potter, Mr. W. E. Forster; Answers, Mr. Bourke *Mar* 8, 1569;—*Colonel Mitchell,* Questions, Sir H. Drummond Wolff, Mr. Evelyn Ashley; Answers, Mr. Bourke *Mar* 13, 1850;—*Detention of British Subjects,* Question, Mr. Potter; Answer, Mr. Bourke *Mar* 15, 1966

Slave Trade—Colonel Gordon, Questions, Mr. Hanbury, Mr. Mark Stewart; Answers, Mr. Bourke *Mar* 6, 1451

Slave Trade in the Red Sea, Questions, Mr. Hanbury; Answers, Mr. Bourke, Mr. Hunt *Mar* 9, 1647; Question, Mr. Anderson; Answer, Mr. Bourke *Feb* 13, 263

Suez Canal—Annual Papers, Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer *Feb* 15, 381;—*Pilotage,* Question, Mr. D. Jenkins; Answer, The Chancellor of the Exchequer *Mar* 13, 1856;—*The Surtax, Representation, &c.* Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer *Mar* 5, 1365

ELCHO, Lord, *Haddingtonshire*

Army—Captain Burnaby, Recall of, 1388
Game Laws (Scotland) Amendment, 2R. 788
Metropolitan Street Improvements, 2R. 822
Supply—British Embassy Houses, &c. 1057
Turkey—Treaty of 1856, 571

Employers and Servants—"Common Employment"

Moved that a Select Committee be appointed to inquire into the present operation of the law existing between employers and servants in connection with the subject of "common employment," and whether any alteration or amendment of the same is desirable" (*The Earl De La Warr*) *Feb* 23, 886; after short debate, Motion withdrawn

Employers and Workmen Act (Extension to Seamen) Bill

(*Mr. Burt, Mr. Joseph Cowen, Mr. Mundella, Dr. Cameron, Mr. Gourley*)

c. Ordered; read 1° * *Feb* 9 [Bill 39]

Employers Liability for Injuries to their Servants—"Common Employment"

Ordered, That the Select Committee of last Session, to inquire whether it may be expedient to render Masters liable for injuries occasioned to their Servants by the negligent acts of certificated managers of collieries, managers, foremen, and others to whom the general control and superintendence of workshops and works is committed, and whether the term "common employment" could be defined by legislative enactment more clearly than it is by Law as it at present stands, be re-appointed *Mar* 15; List of the Committee, 2025

ENFIELD, Viscount

Metropolitan Board of Works (Election of Members), 2R. 1353

Entails and Settlements Limitation Bill

(*Mr. Shaw Lefevre, Mr. Beaumont, Mr. Osborne Morgan, Mr. Herschell, Mr. Goldsmid*)

c. Ordered; read 1° * *Feb* 9 [Bill 14]

ERRINGTON, Mr. G., *Longford Co.*

Indian Coolies—Island of Réunion, 732
Northern Pacific Railway, 576

ERSKINE, Admiral

Valuation of Property, 2R. 1613

ESLINGTON, Lord, *Northumberland, S.*

Civil Service Estimates—Proposed Ministerial Statement, Res. 1028
International Maritime Law—Declaration of Paris, 1856, Res. 1306
Justices Clerks, Comm. *cl.* 2, 1639
Merchant Shipping Act, 1876—Explosive Substances Act—"Great Queensland," The, 897
Navy Estimates—Sea and Coast Guard Services, 1829
Parliament—Easter Recess, 1764

EVANS, Mr. T. W., *Derbyshire, S.*

Prisons, Comm. 864; *cl.* 8, 881

EWING, Mr. A. Orr, *Dumbartonshire*

Intoxicating Liquors (Scotland), 2R. 1925, 1928

Exchequer Bills and Bonds (£700.000) Bill (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)

c. Ordered; read 1° * *Mar* 14 [Bill 114]
Read 2° * *Mar* 15

EXCHEQUER, CHANCELLOR of the (*see* CHANCELLOR of the EXCHEQUER)

Exoneration of Charges Bill [H.L.]

(*The Lord Chancellor*)

l. Presented; read 1ª * *Mar* 2 (No. 16)
Read 2ª *Mar* 12, 1735

Factory and Workshops Acts—The Canal Population

Question, Mr. Heygate; Answer, Mr. Assheton Cross *Feb* 15, 375

FAWCETT, Mr. H., *Hackney*

East India Finance, Motion for a Select Committee, 264, 316, 331
Education (Training for Teachers), Motion for a Select Committee, 1143, 1150
Local Administration—Representative County Boards, Res. 1731
London, Brighton, and South Coast Railway (Various Powers), 2R. 1253
Metropolitan Commons—Mitcham Common, 732

FAY, Mr. C. J., *Cavan Co.*
Irish Church Acts Amendment, 2R. 349
Magistracy, Ireland—Mr. J. W. Devlin, Appointment of, 468, 470

FERGUSON, Mr. R., *Carlisle*
Intoxicating Liquors Retail, Res. 1894

FITZMAURICE, Lord E. G., *Calne*
International Maritime Law—Declaration of Paris, 1856, Res. 1311

Floods, The Recent—Thames Valley—The Commission
Question, Sir Charles Russell; Answer, Mr. Sclater-Booth *Feb* 19, 574; Questions, Mr. Coope, Mr. A. Peel; Answers, Mr. Assheton Cross *Mar* 8, 1573; Question, Mr. Arthur Peel; Answer, Mr. Assheton Cross *Mar* 15, 1977

FLOYER, Mr. J., *Dorsetshire*
Prisons, Comm. *cl.* 5, 868

Foreign Office and Diplomatic Service — Open Competition
Amendt. on Committee of Supply *Feb* 23, To leave out from "That," and add "in the opinion of this House, the principle of open competition for first appointments, which prevails in the Army and in most of the Public Departments, should be extended to the Foreign Office and the Diplomatic Service" (*Mr. Trevelyan*) *v.*, 899; after debate, Question put, "That the words, &c.;" A. 159, N. 112; M. 47 (D. L. 14)

Forest of Dean—Legislation
Question, Mr. Monk; Answer, Mr. W. H. Smith *Feb* 15, 389

Forfeiture Relief Bill
(*Mr. Marten, Mr. Osborne Morgan, Mr. Gregory*)
c. Ordered; read 1° * *Feb* 9 [Bill 60]
Read 2° * *Feb* 19
Committee *—R.P. *Feb* 27
Committee *; Report *Mar* 2
Read 3° * *Mar* 5
l. Read 1ª * (*Lord Foxford*) *Mar* 6 (No. 20)

FORSTER, Right Hon. W. E., *Bradford*
Cattle Plague, 830, 1860
Education Code—New Code of Regulations, 1216
Education (Training of Teachers), Motion for a Select Committee, 1152
Egypt and Abyssinia, 1572
Post Office Telegraph Department, 167
Prisons, Comm. *cl.* 8, 876, 885
St. Giles and St. Luke's Joint Charities, 2R. 1082
Turkey—Papers on the Affairs of, 180, 181

FORSYTH, Mr. W., *Marylebone*
Colonial Marriages, 2R. 1173
East India Finance, Motion for a Select Committee, 308
Law, Codification of the, 461
Prisons, Comm. *cl.* 8, 878
Turkey — Christians in Turkey — Despatches, 1860-1861, 1448, 1449
  Treaty of 1856, 530

FORTESCUE, Earl
Cattle Plague, Outbreak of, 807, 811
Contagious Diseases (Animals) Act 1869—Proclamations, 1564, 1565
Local Government of the Metropolis, Motion for Returns, 1744
Metropolis—Hyde Park Corner, 163, 165
Metropolitan Board of Works (Election of Members), 2R. 1356

France—Foreign Physicians and Surgeons
Question, Dr. Lush; Answer, Mr. Bourke *Feb* 22, 833

France and Germany—The French Frontier Fortreses
Question, Mr. Owen Lewis; Answer, Mr. Bourke *Mar* 13, 1853

Franchise Extension (Ireland) Bill
(*Mr. Biggar, Mr. O'Shaughnessy, Mr. O'Gorman, Mr. Richard Power, Mr. Parnell*)
c. Ordered; read 1° * *Feb* 9 [Bill 19]

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(*Mr. Mundella, Sir John Lubbock, Mr. Chamberlain, Mr. Anderson*)
c. Ordered; read 1° * *Feb* 14 [Bill 84]

FRESHFIELD, Mr. C. K., *Dover*
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Prisons, Comm. *cl.* 10, Amendt. 1220; *cl.* 13, Amendt. 1231; *cl.* 14, 1234

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(*Mr. M'Lagan, Sir William Stirling Maxwell, Sir Edward Colebrooke, Mr. John Maitland*)
c. Ordered; read 1°* *Feb* 9 [Bill 25]
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(*Lord Elcho, Sir Graham Montgomery*)
c. Ordered; read 1°* *Feb* 16 [Bill 92]

GARNIER, Mr. J. CARPENTER-, *Devon, S.*
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GIBSON, Right Hon. E., (Attorney General for Ireland), *Dublin University*
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Supreme Court of Judicature (Ireland), 2R. 628

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(*Sir Alexander Gordon, Mr. M'Lagan, Mr. Mark Stewart*)
c. Ordered; read 1° * *Feb* 15 [Bill 89]

Habitual Drunkards Bill
(*Dr. Cameron, Mr. Clare Read, Mr. Ashley, Sir Henry Jackson, Mr. Edward Jenkins, Mr. Richard Smyth*)
c. Ordered; read 1° * *Feb* 28 [Bill 105]

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- Intoxicating Liquors (Scotland), 2R. 1933
- Navy, State of—Boilers, 1788, 1802
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Henley, Right Hon. J. W., *Oxfordshire*
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  (*Sir Henry Jackson, Mr. Leeman, Mr. Alfred Marten*)
c. Ordered; read 1° * *Feb* 21 [Bill 99]
  Read 2° * *Mar* 6
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HOLMS, Mr. J., *Hackney*
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Homicide Law Amendment Bill
  (*Sir Eardley Wilmot, Mr. Whitwell*)
c. Ordered; read 1° * *Feb* 28 [Bill 104]

HOPE, Mr. A. J. B. Beresford, *Cambridge University*
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HOUGHTON, Lord
  Employers and Servants—"Common Employment," Motion for a Select Committee, 889

House Occupiers Disqualification Removal Bill
  (*Sir Henry Wolff, Sir Charles Russell, Sir Charles Legard, Mr. Onslow, Mr. Ryder*)
c. Ordered; read 1° * *Feb* 9 [Bill 23]
  Moved, "That the Bill be now read 2°" *Feb* 12, 181
  Moved, "That the Debate be now adjourned" (*Sir Charles W. Dilke*); after short debate, Question put, and agreed to; debate adjourned
  Debate resumed *Feb* 13, 339
  Moved, "That the Debate be now adjourned" (*Mr. Goldsmid*); A. 9, N. 64; M. 55 (D. L. 5)
  Question again proposed, "That the Bill be now read 2°;" Moved, "That this House do now adjourn" (*Mr. Parnell*); A. 7. N. 66; M. 59 (D. L. 6)
  Question again proposed, "That the Bill be now read 2°"
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Monk*); Question proposed, "That 'now,' &c.;" Amendt. withdrawn
  Main Question put, and agreed to; Bill read 2°

HOWARD, Mr. E. S., *Cumberland, E.*
  Intoxicating Liquors Retail, Res. 1897

HUBBARD, Right Hon. J. G., *London*
  Colonial Marriages, 2R. 1182
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HUBBARD, Mr. E., *Buckingham*
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HUNT, Right Hon. G. W. (First Lord of the Admiralty), *Northamptonshire, N.*
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HUTCHINSON, Mr. J. D., *Halifax*
Valuation of Property, 2R. 1608

Hypothec (Scotland) Bill
(*Mr. Agnew, Sir William Stirling Maxwell, Mr. Baillie Hamilton, Sir George Douglas*)
c. Ordered; read 1°* *Feb* 9 [Bill 32]

Imprisonment for Debt Abolition Bill
(*Mr. Bass, Mr. Fielden, Mr. Cobbett, Mr. Anderson, Mr. Knowles*)
c. Ordered; read 1°* *Feb* 9 [Bill 49]

INCHIQUIN, Lord
Irish Peerage, 2R. 1752

INDIA
MISCELLANEOUS QUESTIONS
Droughts of Southern India—Report of Dr. Hunter, Question, Mr. E. Hubbard; Answer, Lord George Hamilton *Mar* 1, 1214
Indian Ordnance Corps — Pensioners, &c. Question, Mr. Dunbar; Answer, Lord George Hamilton *Feb* 23, 895
Residence for the Viceroy at Simla, Question, Sir George Campbell; Answer, Lord George Hamilton *Mar* 1, 1210
Route from Rangoon to Kiang Hung, Question, Mr. Sampson Lloyd; Answer, Lord George Hamilton *Mar* 15, 1972
Royal Titles Act—"Kaiser-è-Hind," Questions, Sir George Campbell; Answers, Lord George Hamilton *Mar* 1, 1211;—*Proclamation of the Royal Title at Delhi*, Question, Mr. Gourley; Answer, Lord George Hamilton, 1212
The Salt Laws, Question, Mr. Potter; Answer, Lord George Hamilton *Feb* 15, 372

Coolies — Island of Réunion, Question, Mr. Errington; Answer, Mr. Bourke *Feb* 20, 732

India—East India Finance
Moved, "That a Select Committee be appointed to inquire into the Finance and Financial Administration of India" (*Mr. Fawcett*) *Feb* 13, 264
Amendt. to leave out from "That," and add "this House, viewing with alarm the financial deficits in our Indian Administration during the last ten years and the constant additions made to the debt of India during that period, is of opinion that no new public work should be undertaken which would necessitate the raising of fresh Loans either in India or in England; and that, in order to place the finances of India on a satisfactory basis, the distinction which is now made between Ordinary and Extraordinary Expenditure should be discontinued" (*Mr. Smollett*) *v.*; after long debate, Question put, "That the words, &c.;" A. 123, N. 173; M. 50 (D. L. 2)

Inland Revenue Office, Bristol
Question, Mr. Hodgson; Answer, Mr. W. H. Smith *Feb* 26, 1017

Intemperance
Moved, That a Select Committee be appointed for the purpose of inquiring into the prevalence of habits of intemperance, and into the manner in which those habits have been affected by recent legislation and other causes (*The Lord Archbishop of Canterbury*) *Feb* 9; Motion agreed to; List of the Committee, 122

International Maritime Law—The Declaration of Paris, 1856
Amendt. on Committee of Supply *Mar* 2, To leave out from "That," and add "the object of the Declaration of Paris respecting Maritime Law, signed at Paris on the 16th of April 1856, was, as was expresssed in the preamble, to endeavour to attain uniformity

[*cont.*

International Maritime Law—The Declaration of Paris, 1856—cont.

of doctrine and practice in respect to Maritime Law in time of war:

"That it is moreover obvious that the whole value that might be supposed to attach to any such Declaration, as changing the ancient and immemorial practice of the law of nations on the subject, must necessarily depend on the general assent of all the Maritime States to the new doctrines:

"That the fact of important Maritime Powers, such as Spain and the United States, having declined to accede to the Declaration of Paris, deprives that document of any value as between the Governments who have signed it:

"That the consequence of some powers adhering to the new rules, whilst others retained intact their natural rights in time of war, would be to place the former at a great and obvious disadvantage in the event of hostilities with the latter:

"That Great Britain being an essentially Naval Power, this House cannot contemplate such an anomalous and unsatisfactory condition of international obligations without grave misgivings:

"That, independently of all other considerations, the failure, after twenty years negotiations to bring about general adhesion to its terms, necessitates the withdrawal of this Country from what was necessarily and on the face of it a conditional and provisional assent to the new rules:

"That this House, whilst desiring to leave the question of opportuneness to the discretion of Her Majesty's Government, and having confidence in the repeated declarations on the subject of individual members of the present Administration, think it desirable to record an opinion that no unnecessary delay ought to take place in withdrawing from the Declaration signed at Paris on 16th April 1856, on the subject of Maritime Belligerent Rights" (*Mr. Percy Wyndham*) *v.*, 1262; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Butler-Johnstone*); A. 51, N. 182; M. 131 (D. L. 25)

Question again proposed, "That Mr. Speaker do now leave the Chair;" Moved, "That this House do now adjourn" (*Sir H. Drummond Wolff*); Motion withdrawn; Question put, "That the words, &c.;" A. 170, N. 56; M. 114 (D. L. 26)

Intoxicating Liquors (Ireland) Bill

(*Mr. Sullivan, Mr. Dease*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 37]

Intoxicating Liquors (Licensing Boards) Bill

(*Mr. Joseph Cowen, Sir Henry Havelock, Mr. Norwood, Mr. Burt, Mr. Ernest Noel*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 24]

Intoxicating Liquors—Retail

Moved, "That it is desirable to empower the Town Councils of Boroughs under the Municipal Corporations Acts to acquire compulsorily, on payment of fair compensation, the existing interests in the Retail Sale of Intoxicating Drinks within their respective districts; and thereafter, if they see fit, to carry on the trade for the convenience of the inhabitants, but so that no individual shall have any interest in nor derive any profit from the sale" (*Mr. Chamberlain*) *Mar* 13, 1861; after debate, Question put; A. 51, N. 103; M. 52

Division List, A. and N., 1898

Intoxicating Liquors (Scotland) Bill

(*Sir Robert Anstruther, Dr. Cameron, Mr. Dalrymple, Mr. Maitland, Mr. Jenkins*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 13]

Moved, "That the Bill be now read 2°" *Mar* 14, 1901; after long debate, Question put; A. 90, N. 253; M. 163 (D. L. 34)

IRELAND

MISCELLANEOUS QUESTIONS

Admiralty Jurisdiction Act, 1876—*The Rules and Orders,* Question, Mr. M'Carthy Downing; Answer, Sir Michael Hicks-Beach *Feb* 22, 827

Cattle Plague—Order in Council—Illicit Distillation, Question, Mr. Herbert; Answer, Sir Michael Hicks-Beach *Feb* 22, 824

Common Law Courts, Question, Mr. Parnell; Answer, The Attorney General for Ireland *Mar* 12, 1761

County Cess Collectors, Question, Mr. Owen Lewis; Answer, Sir Michael Hicks-Beach *Mar* 8, 1567

Grand Jury Laws—Legislation, Question, The O'Conor Don; Answer, Sir Michael Hicks-Beach *Feb* 15, 381

Inland Revenue Staff, Question, Mr. Bruen; Answer, Mr. W. H. Smith *Mar* 6, 1447

Intermediate Education—Legislation, Question, Mr. O'Shaughnessy; Answer, Sir Michael Hicks-Beach *Feb* 15, 374

Inundations in Ireland—The River Bann, Question, Mr. Law; Answer, Sir Michael Hicks-Beach *Mar* 5, 1360

Local Government, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Feb* 13, 263

Local Taxation, Question, Mr. William Johnston; Answer, Sir Michael Hicks-Beach *Feb* 19, 583

Magistracy, The—Debtors Act—Removal of Mr. W. J. Devlin, Question, Mr. Dickson; Answer, Sir Michael Hicks-Beach *Feb* 15, 384;—*Appointment of Mr. W. J. Devlin,* Question, Mr. Fay; Answer, Sir Michael Hicks-Beach *Feb* 16, 468; Question, Mr. Dickson; Answer, Sir Michael Hicks-Beach *Feb* 20, 733;—*Commissions of the Peace,* Question, Mr. Meldon; Answer, The Attorney General for Ireland *Mar* 1, 1205

[*cont.*

IRELAND—*cont.*

National School Teachers—Payment by Fees, Question, Mr. O'Reilly; Answer, Sir Michael Hicks-Beach *Feb* 15, 375

Pleuro-Pneumonia Order, 1876, Question, Mr. M. Brooks; Answer, Sir Michael Hicks-Beach *Feb* 26, 1015

Poor Law Unions, Question, Mr. Morris; Answer, Sir Michael Hicks-Beach *Feb* 22, 828

Public Health—Vaccine Lymph, Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach *Feb* 27, 1092

Queen's Colleges—Legislation, Question, Mr. Lyon Playfair; Answer, Sir Michael Hicks-Beach *Feb* 19, 576

Sunday Closing of Public Houses, Question, Mr. O'Clery; Answer, Sir Michael Hicks-Beach *Feb* 9, 124

Tenants of Church Lands, Question, Mr. Parnell; Answer, Sir Michael Hicks-Beach *Feb* 16, 465

The Constabulary

Appointment of Deputy Inspector General, Question, Mr. Whalley; Answer, Sir Michael Hicks-Beach *Mar* 2, 1256; Question, Mr. Parnell; Answer, Sir Michael Hicks-Beach *Mar* 5, 1360

Case of Constable Maloney, Question, Dr. Ward; Answer, Sir Michael Hicks-Beach *Feb* 22, 826

Case of Superintendent Hill, Question, Mr. Clive; Answer, Sir Michael Hicks-Beach *Feb* 12, 178

Drill and Guard Mounting, Question, Captain Nolan; Answer, Sir Michael Hicks-Beach *Feb* 20, 734

Pensions, Question, Mr. Meldon; Answer, The Chancellor of the Exchequer *Mar* 9, 1647

Ireland—Criminal Punishments (Applications for Remissions)

Moved, "That there be laid before this House, a Return of the number of Applications for total or partial Remissions of Criminal Punishments awarded in Ireland during the years 1874, 1875, and 1876; stating in each case by whom the application was made, and whether it was wholly or partially acceded to, or whether it was refused" (*Captain Nolan*) *Mar* 13, 1899; after short debate, [House counted out]

Moved, "That there be laid before this House, a Return, &c." *Mar* 15, 2023; after short debate, Question put; A. 18, N. 79; M. 61 (D. L. 38)

Ireland—Irish Society of London

Moved, That a Select Committee be appointed "to inquire into the constitution, management, and annual expenditure of the Irish Society of London; and, further, to report as to what, if any, changes can be made in the governing body or the mode of administration in order to ensure a more economical and advantageous application of the property, or whether such result can be best attained by placing the property in the hands of public Trustees resident in Ireland" (*Mr. Charles Lewis*) *Feb* 27, 1093; after long debate, Question put; A. 53, N. 108; M. 55 (D. L. 17)

Ireland—Poor Law Unions Amalgamation

Moved, "That a Select Committee be appointed to take Evidence and Report as to whether any Amalgamation of Poor Law Unions in Ireland is desirable; and, if so, in what manner and to what extent such amalgamation should be carried into effect" (*Mr. Macartney*) *Mar* 6, 1524; after short debate, Motion withdrawn

Irish Church Acts Amendment Bill

(*Mr. Parnell, Mr. Fay*)

c. Ordered; read 1° * *Feb* 9 [Bill 48]

Moved, "That the Bill be now read 2°" *Feb* 14, 346

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Macartney*); after debate, Question put, "That 'now,' &c.;" A. 110, N. 150; M. 40 (D. L. 7)

Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Irish Peerage Bill [H.L.]

(*The Lord Inchiquin*)

l. Presented; read 1ª * *Mar* 1 (No. 15)

Read 2ª, after short debate *Mar* 12, 1752

ISAAC, Mr. S., *Nottingham*

City Companies (Oaths by Freemen), Motion for a Return, 631

Post Office — United States, Communication with the, 1969

St. Giles and St. Luke's Joint Charities, 2R. 1081

JACKSON, Sir H. M., *Coventry*

Justices Clerks, Comm. *cl.* 4, 1641

Prisons, Comm. *cl.* 10, 1219

JAMES, Sir H., *Taunton*

Colonial Marriages, 2R. 1180

JAMES, Mr. W. H., *Gateshead*

City Companies (Oaths by Freemen), Motion for a Return, 632, 633

Criminal Law—Rochdale, Murder at, 1754

Free Libraries, Return, 580

Public Health—Vaccination, 1566

Supply—Foreign Office, 1058

Public Offices, Furniture of, 1042, 1043

JENKINS, Mr. D. J., *Penryn, &c.*

Admiralty Administration, Res. 1482

Suez Canal—Pilotage, 1856

Supply—Board of Trade, 1061

Miscellaneous Services, Amendt. 2013

JOHNSTON, Mr. W., *Belfast*

Local Taxation (Ireland), 583

Nova Scotia—Nullity of Legislation, 1213;—Marriages, 1583

JOHNSTONE, Sir H., *Scarborough*
Intoxicating Liquors Retail, Res. 1896
Justices Clerks, Comm. *cl.* 2, Amendt. 1639
Local Administration—Representative County Boards, Res. 1676
Prisons, Leave, 135 ; 2R. 412

Judicial Proceedings (Rating) Bill
(*Mr. Attorney General, Mr. William Henry Smith*)
c. Ordered ; read 1° * *Feb* 12 [Bill 77]

Justices of Peace, &c. (Clerks' Fees) Bill
Afterwards—
Justices' Clerks Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Motion for Leave (*Sir Henry Selwin-Ibbetson*) *Feb* 9, 149 ; Motion agreed to ; Bill ordered ; read 1° * [Bill 5]
Read 2°, after short debate *Feb* 19, 631
Committee * ; Report *Feb* 22
Committee * (*on re-comm.*)—R.P. *Mar* 5
Committee (*on re-comm.*)—R.P. *Mar* 8, 1637
Committee * (*on re-comm.*) ; Report *Mar* 12
Considered *Mar* 15, 2021

KAY-SHUTTLEWORTH, Mr. U. J., *Hastings*
Education Code, 1876—Article 60, 579
Metropolis — Holborn Improvement Scheme, 825
Supply—British Embassy Houses, &c. 1055
War Office—Sanitary State, Report on, 1260

KENEALY, Dr. E. V., *Stoke-upon-Trent*
Navy—Pay of Royal Marines, 1209
Prisons, Leave, 135, 138 ; 2R. 414 ; Comm. *cl.* 5, 871 ; *cl.* 10, 1222 ; *cl.* 20, 1243, 1247
Supply—Miscellaneous Questions
  Agency and Consulate General of Zanzibar, &c. Motion for reporting Progress, 1069
  Embassy Houses, 1055
  Law Charges, 1054

KENNARD, Lieut.-Colonel E. H., *Lymington*
Skating Rinks, Soldiers in—Uniform, 126

KENNAWAY, Sir J. H., *Devon, E.*
Ecclesiastical Offices and Fees, 2R. 767
Intoxicating Liquors Retail, Res. 1873
Prisons, Comm. *cl.* 5, Amendt. 867, 870 ; *cl.* 8, 880 ; *cl.* 11, 1225

KIMBERLEY, Earl of
Cattle Plague, Outbreak of, 816
Kidnapping in the South Seas, Address for Correspondence, 1202
Metropolitan Board of Works (Election of Members), 2R. 1355
Turkey—Instructions, The, 684

KINGSCOTE, Lieut.-Colonel, R. N. F., *Gloucestershire, W.*
Cattle Plague—Outbreak at Hull, 1762

Kingstown Borough (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Meldon*)
c. Ordered ; read 1° * *Feb* 12 [Bill 69]

KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
Army—Employment of Soldiers in the Harvest Field, 1973
Colonial Marriages, 2R. 1164, 1189, 1215
House Occupiers Disqualification Removal, 2R. 182
Prisons, 2R. 405 ; Comm. *cl.* 5, 868 ; *cl.* 6, 873 ; *cl.* 11, 1224, 1230
Railway Commission—Appointment of Mr. A. E. Miller, Q.C. 1261
Sale of Intoxicating Liquors on Sunday, Leave, 367
Supply—Colonial Local Revenue, &c. 1984

KNOWLES, Mr. T., *Wigan*
Justices Clerks, Comm. *cl.* 2, 1638
Valuation of Property, 2R. 1609

LAING, Mr. S., *Orkney, &c.*
London, Brighton, and South Coast Railway (Various Powers), 2R. 1252

Landlord and Tenant (Ireland) Act (1870) Amendment Bill
(*Mr. Crawford, Mr. Richard Smyth, Mr. Dickson, Mr. Daniel Taylor*)
c. Ordered ; read 1° * *Feb* 9 [Bill 51]

Land Tenure (Ireland) Bill
(*Mr. Butt, Mr. Downing, Mr. Richard Smyth, Mr. Meldon, Mr. Ennis*)
c. Ordered ; read 1° * *Feb* 9 [Bill 21]

LAW, Right Hon. H., *Londonderry Co.*
Ancient Monuments, 2R. 1551
County Officers and Courts (Ireland), Leave, 245
Inundations in Ireland—The River Bann, 1360
Irish Society of London, Motion for a Select Committee, 1123, 1125, 1138
Supreme Court of Judicature (Ireland), 2R. 622

LAW AND JUSTICE
Borough Magistrates, City of Exeter, Question, Sir Edward Watkin ; Answer, Mr. Assheton Cross *Mar* 5, 1358 ;—*The Mayor of Bury, Lancashire*, Question, Mr. Philips ; Answer, Mr. Assheton Cross *Feb* 27, 1091
Codification of the Civil and Criminal Law, Question, Mr. Forsyth ; Answer, The Attorney General *Feb* 16, 461

Judicature Acts
Increase of the Judicial Staff, Observations, Mr. Osborne Morgan ; Reply, The Attorney General ; debate thereon *Feb* 23, 964
Moved, " That the Debate be now adjourned " (*Sir George Bowyer*)
The House proceeded to divide ; Mr. Parnell was appointed one of the Tellers for the Ayes, but no Member appearing to be a

Law and Justice—*cont.*
second Teller for the Ayes, Mr. Speaker declared the Noes had it
Question, Mr. Freshfield; Answer, The Chancellor of the Exchequer *Mar* 15, 1974
Report of the Commission, Question, Mr. Briggs; Answer, Mr. W. H. Smith *Feb* 26, 1019
Sittings in Banco, Question, Mr. Serjeant Simon; Answer, The Attorney General *Feb* 15, 377

Law of Evidence Amendment Bill
(*Mr. Morgan Lloyd, Mr. Herschell*)
c. Ordered; read 1° * *Mar* 8 [Bill 112]

Lawrence, Sir J. C., *Lambeth*
Criminal Law—Treadaway, The Convict, 1361
Prisons, Comm. *cl.* 3, 866; *cl.* 6, 873

Lawrence, Sir J. J. T., *Surrey, Mid*
Police—Devonport Watch Committee, 1755
Prisons, Comm. *cl.* 14, 1234, 1239
Public Health—Pure Vaccine Lymph, 126

Lawson, Sir W., *Carlisle*
Intoxicating Liquors Retail, Res. 1880
Sale of Intoxicating Liquors on Sunday (Ireland), 981, 1155

Lefevre, Mr. G. J. Shaw, *Reading*
Admiralty Administration, Res. 1499
Ancient Monuments, 2R. 1543
London, Brighton, and South Coast Railway (Various Powers), 2R. Amendt. 1250
Navy—Dockyard Superintendents, 1581, 1582
State of the Boilers, 1794
Navy Estimates—Sea and Coast Guard Services, 1830
Supply—Miscellaneous Questions
Harbours, &c. 1045
Miscellaneous Services, 2014
Public Offices, Acquisition of Land and Houses as a Site for, 1047, 1049
Tonnage Bounties, &c. 2005, 2006

Legal Practitioners Bill
(*Mr. William Gordon, Mr. Charley*)
c. Ordered; read 1° * *Feb* 9 [Bill 43]

Legard, Sir C., *Scarborough*
Criminal Law—Costs in Poaching Cases—Lord Chief Justice Coleridge, 1363, 1365, 1858
Oyster Fisheries, 178

Leighton, Mr. S., *Shropshire, N.*
Ancient Monuments, 2R. 1534
Prisons, Comm. *cl.* 10, Amendt. 1218; *cl.* 11, Amendt. 1225

Lewis, Mr. C. E., *Londonderry*
Colonial Marriages, 2R. 1191
Irish Church Acts Amendment, 2R. 358
Irish Society of London, Motion for a Select Committee, 1093, 1138, 1139
Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 198
Supreme Court of Judicature (Ireland), 2R. 627

Lewis, Mr. H. O., *Carlow*
Army Promotion and Retirement, 382
County Cess Collectors (Ireland), 1567
Criminal Law—Conviction for Manslaughter at Durham, 1582
France and Germany—French Frontier Fortresses, 1853
Russia — Religious Persecution in Poland, 1214

Licensing Act, 1872—*Sale of Beer by Retail*
Question, Sir Thomas Chambers; Answer, Mr. Assheton Cross *Feb* 26, 1020

Licensing—The Middlesex Magistrates
Question, Sir Patrick O'Brien; Answer, Mr. Assheton Cross *Feb* 27, 1088

Lindsay, Colonel R. J. Loyd, *Berkshire*
Tramways (Use of Mechanical Power), Motion for a Select Committee, 1086

Lloyd, Mr. M., *Beaumaris*
Manchester and Milford and Mid Wales Railway Companies, 2R. 1963

Lloyd, Mr. S. S., *Plymouth*
India—Route from Rangoon to Kiang Hung, 1972
Supply—Superannuation and Retired Allowances, &c. 2010
Valuation of Property, 2R. 1596

Loans to Urban and Rural Sanitary Authorities
Questions, Mr. Whitbread; Answers, Mr. Sclater-Booth *Mar* 9, 1619

Local Administration — Representative County Boards
Amendt. on Committee of Supply *Mar* 9, To leave out from "That," and add "no re-adjustment of local administration will be satisfactory or complete which does not refer County Business, other than that relating to the administration of justice and the maintenance of order, to a Representative County Board" (*Mr. Clare Read*) *v.*, 1653; Question proposed, "That the words, &c.;" after long debate, Question put, and negatived; words added; main Question, as amended, put, and agreed to

Local Government in Towns (Ireland) Bill (*Mr. Bruen, Sir Arthur Guinness*)
c. Ordered; read 1° * *Feb* 9 [Bill 34]

Locke, Mr. J., *Southwark*
Metropolis—Hyde Park—Rotten Row, 384
Parliamentary and Municipal Registration, 2R. Motion for Adjournment, 1960
Prisons, Comm. *cl.* 8, 878; Amendt. 885
Sale of Intoxicating Liquors on Sunday, Leave, 364

Locomotives on Common Roads Bill (*Colonel Chaplin, Mr. Charles Praed, Mr. Samuelson*)
- *c.* Ordered ; read 1°* *Feb* 9 [Bill 22]

London, Brighton, and South Coast Railway (*Various Powers*) *Bill* (*by Order*)
- *c.* Moved, "That the Bill be now read 2°" *Mar* 2, 1250
  - Amendt. to leave out "now," and add "upon this day six months" (*Mr. Shaw Lefevre*) ; after short debate, Question put, "That 'now,' &c. ;" A. 143, N. 100 ; M. 43 (D. L. 24)

Lopes, Sir M., *Devonshire, S.*
- Admiralty Administration, Res. 1503

Lord Chamberlain's Department—Fires in Places of Amusement
- Question, Sir William Fraser ; Answer, Mr. Assheton Cross *Feb* 9, 128

Lowe, Right Hon. R., *London University*
- Foreign Office and Diplomatic Service—Open Competition, Res. 926
- Universities of Oxford and Cambridge, 2R. 589

Lowther, Mr. J. (Under Secretary of State for the Colonies), *York City*
- Africa (West Coast)—Gambia, 468
- Ancient Monuments, 2R. 1560
- Barbadoes—Mr. Pope Hennessy, 1977
- Ceylon—Rice Tax, 258
- Malta—Miscellaneous Questions
  - Civil and Military Governors, 388
  - Grain and Food Articles, Taxation on, 257
  - Legislative Council, 1453
- Newfoundland—French Shore, 579
- Northern Pacific Railway, 577
- Nova Scotia—Nullity of Legislation, 1214 ;—Marriages, 1583
- South Africa—Confederation of the Cape Colonies—Transvaal Republic, 734
  - Military Service in, 834
- Supply—Colonial Local Revenue, &c. 1066, 1067, 1992, 1997, 1999
- West Africa—Colonial Revenues, 1453

Lowther, Mr. W., *Westmoreland*
- Cattle Disease—The West Riding of Yorkshire, 1366
- Metropolis—Hyde Park—The Mounds, 1573

Lubbock, Sir J., *Maidstone*
- Ancient Monuments, 2R. 1527, 1556
- Universities of Oxford and Cambridge, 2R. 609

Lunacy Law
- Moved, That a Select Committee be appointed "to inquire into the operation of the Lunacy Law, so far as regards the security afforded by it against violations of personal liberty" (*Mr. Dillwyn*) *Feb* 12, 246 ; after short debate, Motion agreed to ; List of the Committee, 247

Lush, Dr. J. A., *Salisbury*
- Army Medical Officers, 728
- Army—Recruits, Swearing in of, 832
- Army Estimates—Land Forces, 1422
- Foreign Physicians and Surgeons in France, 833
- Post Office—Postmasters, 1850

Lusk, Sir A., *Finsbury*
- Civil Service Estimates—Proposed Ministerial Statement, Res. 1032
- Prisons, Comm. 862 ; *cl.* 5, 868 ; *cl.* 10, 1219 ; *cl.* 11, 1226, 1230 ; *cl.* 14, 1235
- St. Giles and St. Luke's Joint Charities, 2R. 1081
- Sale of Intoxicating Liquors on Sunday, Leave, 366
- Supply—Miscellaneous Questions
  - Board of Trade, 1063
  - Colonial Local Revenue, &c. 1997
  - Embassy Houses, 1055
  - Houses of Parliament, 1045
  - Public Buildings, 1041, 1042
  - Public Offices, Furniture of, 1043
  - Tonnage Bounties, &c. 2005

McArthur, Mr. Alderman W., *Lambeth*
- Africa (West Coast)—The Gambia, 467
- Irish Society of London, Motion for a Select Committee, 1122

McArthur, Mr. A., *Leicester*
- Newfoundland—French Shore, 578
- Post Office—Private Letter Boxes, 1207

Macartney, Mr. J. W. E., *Tyrone*
- Ancient Monuments, 2R. 1561
- Irish Church Acts Amendment, 2R. Amendt. 348
- Poor Law Unions Amalgamation (Ireland), Motion for a Select Committee, 1524, 1526

Macdonald, Mr. A., *Stafford*
- Army Estimates—Pay and Allowances, Motion for reporting Progress, 1441
- Beer Licences (Ireland), Consid. Motion for Adjournment, 1643
- Coal Mines—Darcy Lever Colliery, Explosion in, 728
- Criminal Law—Thomas Cunliffe, Case of—A Miner, 730
- Home Farm Colliery, Lanark, 574, 575
- Intoxicating Liquors (Scotland), 2R. 1943
- Justices Clerks, Comm. *cl.* 4, Motion for reporting Progress, 1641
- Merchant Shipping Act, 1876—" Maggie," The Schooner, 461
- Merchant Shipping Acts—Unseaworthy Ships —" Glenafton," The, 1648
- Prisons, Comm. *cl.* 8, Amendt. 874 ; *cl.* 8, 883 ; *cl.* 20, 1242
- Supply—British Embassy Houses, &c. 1058
  - Lighthouses Abroad, 1052

[*cont.*

Macduff, Viscount, *Elgin and Nairn*
Game Laws (Scotland) Amendment, 2R. 790
Intoxicating Liquors (Scotland), 2R. 1923

McKenna, Sir J. N., *Youghal*
London, Brighton, and South Coast Railway (Various Powers), 2R. 1255
Parliament—Easter Recess, 1764

Mackintosh, Mr. C. F., *Inverness, &c.*
Scotch Historical Records—The Grant, 1757
Scotland—Court of Teinds, Procedure in the, 179

McLagan, Mr. P., *Linlithgowshire*
Game Laws (Scotland) Amendment, 2R. 774, 794
Threshing Machines, 2R. 345

McLaren, Mr. D., *Edinburgh*
Double Sheriffs (Scotland), 376
Intoxicating Liquors (Scotland), 2R. 1918
Parliament—Scotch Business, 942
Post Office—Franking of Parliamentary Papers, 1358

Maitland, Mr. J., *Kirkcudbrightshire*
Intoxicating Liquors (Scotland), 2R. 1901

Malmesbury, Earl of
Lord Chief Justice Coleridge—Costs on Poaching Cases, 1446

Malta
Civil and Military Governors, Question, Mr. Anderson; Answer, Mr. J. Lowther *Feb* 15, 387
Taxation on Grain and Food Articles, Question, Mr. Potter; Answer, Mr. J. Lowther *Feb* 13, 257
The Legislative Council, Question, Mr. Anderson; Answer, Mr. J. Lowther *Mar* 6, 1453

Manchester and Milford and Mid Wales Railway Companies Bill (*by Order*)
c. Moved, "That the Bill be now read 2°" *Mar* 15, 1963
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Goldney*); after short debate, Question, "That 'now,' &c.," put, and agreed to; Bill read 2°

Manners, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
Post Office—Miscellaneous Questions
  Postage Rates to India, 372, 823
  Postmasters, 1550
  Post Office Telegraph Department, 166, 167;—Leitrim, 1853;—Surveyors, 1967
  Private Letter Boxes, 1207
  United States, Communication with the, 1967

Marine Mutiny Bill (*Mr. Hunt, Mr. Algernon Egerton, Sir Massey Lopes*)
c. Ordered; read 1°* *Mar* 14
Moved, "That the Bill be now read 2°" *Mar* 15, 2018
Moved, "That the Debate be now adjourned" (*Mr. Biggar*); Question put; A. 14, N. 221; M. 207 (D. L. 37)
After short debate, original Question put, and agreed to; Bill read 2°

Maritime Contracts Bill
(*Mr. Edward Stanhope, Sir Charles Adderley*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 16 [Bill 90]

Marriage with a Deceased Wife's Sister Bill (*Sir Thomas Chambers, Mr. Morley, Sir Colman O'Loghlen, Mr. Macdonald*)
c. Ordered; read 1°* *Feb* 14 [Bill 85]

Married Women's Property (Scotland) Bill (*Mr. Anderson, Sir Robert Anstruther, Mr. M'Laren, Mr. Orr Ewing*)
c. Ordered; read 1°* *Feb* 9 [Bill 41].

Marten, Mr. A. G., *Cambridge*
Colonial Marriages, 2R. 1185
Judicature Acts—Increase of the Judicial Staff, 974
Parliamentary and Municipal Registration, 2R. 1960

Martin, Mr. P. W., *Rochester*
Prisons, Comm. *cl.* 8, 880

Meldon, Mr. C. H., *Kildare*
Beer Licences (Ireland), 2R. 337; Comm. *cl.* 2, Amendt. 1073; Consid. 1643
Constabulary (Ireland)—Pensions, 1647
County Officers and Courts (Ireland), Leave, 246
Magistracy, Ireland—Commission of Peace, 1205
Merchant Shipping Act, 1876—"Rock Terrace," The, 893
Open Spaces (Metropolis), Comm. 1249
Public Health (Ireland)—Vaccine Lymph, 1092
Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 196, 1155
Supreme Court of Judicature (Ireland), Leave, 242

Mellor, Mr. T. W., *Ashton-under-Lyne*
East India Finance, Motion for a Select Committee, 295

Mercantile Marine
Lighthouse in Morte Bay, Question, Mr. Morley; Answer, Sir Charles Adderley *Mar* 2, 1255
Training Ships, Question, Mr. Palmer; Answer, Sir Charles Adderley *Feb* 16, 464

Mercantile Marine Hospital Bill
(*Captain Pim, Mr. Wheelhouse*)
c. Ordered; read 1°* *Feb* 13 [Bill 79]

Merchant Shipping
Harbours of Refuge—The North East Coast, Question, Sir Eardley Wilmot; Answer, Sir Charles Adderley *Mar* 12, 1758

Merchant Shipping Acts, 1873-1876
MISCELLANEOUS QUESTIONS
Legislation, Question, Mr. Gorst; Answer, Sir Charles Adderley *Feb* 15, 380
Overloading—"The Irton," Question, Mr. Plimsoll; Answer, Sir Charles Adderley *Feb* 13, 260
The Explosive Substances Act, 1875—*The "Great Queensland,"* Question, Mr. Gourley; Answer, Sir Charles Adderley *Feb* 19, 577; Question, Lord Eslington; Answer, Sir Charles Adderley *Feb* 23, 897;—*The "Thomasina M'Lellan,"* Question, Mr. Evelyn Ashley; Answer, Sir Charles Adderley *Mar* 12, 1756
The Load Line, Question, Mr. Plimsoll; Answer, Sir Charles Adderley *Feb* 13, 261
The "Rock Terrace," Question, Mr. Meldon; Answer, Sir Charles Adderley *Feb* 23, 893
The Schooner "Maggie," Question, Mr. Macdonald; Answer, Sir Charles Adderley *Feb* 16, 461
The Steamship "Prince," Question, Mr. Burt; Answer, Sir Charles Adderley *Mar* 13, 1854
Unseaworthy Ships, Question, Mr. E. J. Reed; Answer, Sir Charles Adderley *Mar* 12, 1758; —*The "Glenafton,"* Question, Mr. Macdonald; Answer, Sir Charles Adderley *Mar* 9, 1648;—*The "Ogmore,"* Question, Mr. Plimsoll; Answer, Sir Charles Adderley *Feb* 13, 262

METROPOLIS
MISCELLANEOUS QUESTIONS
Home Office—Reception of Deputations, Questions, Mr. Mitchell Henry; Answers, Mr. Gerard Noel *Mar* 5, 1360; *Mar* 12, 1760
Hyde Park Corner—Constitution Hill, Question, Observations, Earl Fortescue; Reply, The Earl of Beaconsfield; short debate thereon *Feb* 12, 163; Question, Mr. C. B. Denison; Answer, Mr. Gerard Noel *Feb* 23, 898; Question, Mr. Edwards; Answer, Mr. Gerard Noel *Mar* 1, 1205
Hyde Park—The Mounds, Questions, Mr. W. Lowther, Mr. Monk; Answers, Mr. Gerard Noel *Mar* 8, 1573;—*Rotten Row*, Question, Mr. Locke; Answer, Mr. Gerard Noel *Feb* 15, 384
Kensington Gardens, Question, Mr. Gordon; Answer, Mr. Gerard Noel *Mar* 1, 1203
Knightsbridge Road, Question, Mr. J. R. Yorke; Answer, Sir James Hogg *Mar* 15, 1971
Metropolitan Commons—Mitcham Common, Question, Mr. Fawcett; Answer, Mr. Sclater-Booth *Feb* 20, 732
Museum of Natural History (South Kensington), Question, Lord Arthur Russell; Answer, Mr. Gerard Noel *Mar* 9, 1650

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METROPOLIS—*cont.*
Public Health—Small-Pox Hospitals, Question, Lord Richard Grosvenor; Answer, Mr. Assheton Cross *Mar* 13, 1855
The Public Offices, Question, Sir Charles Russell; Answer, Mr. Gerard Noel *Feb* 20, 736

Metropolis—Local Government
Moved, That there be laid before this House "Returns of the sums expended by vestries and district boards within the Metropolitan district, exclusive of the City of London, upon paving, lighting, drainage, water supply, sanitary arrangements, and other works not under the jurisdiction of the Metropolitan Board, during the years 1874, 1875, and 1876 (*The Earl De La Warr*) *Mar* 12, 1736; after short debate, Motion agreed to

Metropolis Toll Bridges Bill
(*Sir James Hogg, Sir Charles Russell, Sir Henry Peek, Sir Trevor Lawrence, Mr. Alderman M'Arthur, Mr. Forsyth*)
c. Ordered; read 1°* *Feb* 9 [Bill 18]
Question, Mr. Watkin Williams; Answer, Sir James Hogg *Feb* 27, 1093
Read 2°, and committed to a Select Committee *Mar* 6
Committee nominated, March 15; List of the Committee, 1527

Metropolitan Asylum District Board
Moved, "That a Select Committee be appointed to inquire into the constitution, powers, duties, and proceedings of the Metropolitan Asylum District Board" (*Mr. Ritchie*) *Feb* 20, 738; after short debate, Motion withdrawn

Metropolitan Board of Works
Holborn Improvement Scheme, Question, Mr. Kay-Shuttleworth; Answer, Sir James Hogg *Feb* 22, 825
Knightsbridge Road, Question, Mr. J. R. Yorke; Answer, Sir James Hogg *Mar* 15, 1971

Metropolitan Board of Works (Election of Members) Bill [H.L.]
(*The Earl of Camperdown*)
l. Presented; read 1ª* *Feb* 9 (No. 2)
Moved, "That the Bill be now read 2ª" *Mar* 5, 1345
Amendt. to leave out ("now,") and add at the end of the Motion ("this day six months") (*The Earl Beauchamp*); after short debate, on Question, That ("now,") &c.? resolved in the negative; Bill to be read 2ª this day six months

Metropolitan Fire Brigade
Select Committee appointed, "to inquire into the constitution, efficiency, emoluments, and finances of the Metropolitan Fire Brigade, and into the most efficient means of providing further security from loss of life and property by fire in the Metropolis" *Mar* 8; List of the Committee, 1645

[*cont.*

Metropolitan Fire Brigade—cont.
  Ordered, That the Evidence taken before the Committee on the Metropolitan Fire Brigade, in Session 1876, be referred to the Committee (*Sir Henry Selwin-Ibbetson*)
  Ordered, That it be an Instruction to the Select Committee on the Metropolitan Fire Brigade that they have power to take evidence and report with special reference to better means of preventing loss of life and property from fire in theatres and other places of public amusement (*Mr. Onslow*)

Metropolitan Street Improvements Bill (*by Order*)
c. Read 2°, after short debate *Feb* 22, 817
  Demolition of Dwellings, Question, Sir Charles Russell ; Answer, Mr. Assheton Cross *Mar* 8, 1579

Midleton, Viscount
  Lord Chief Justice Coleridge—Costs of Poaching Cases, 1444

Mills, Mr. A., *Exeter*
  Education (Training of Teachers), Motion for a Select Committee, 1151
  Prisons, Comm. 862 ; *cl.* 8, 882
  Turkey—Midhat Pasha, Dismissal of, 258

Monastic and Conventual Institutions Bill
(*Mr. Newdegate, Sir Thomas Chambers, Mr. Holt*)
c. Ordered ; read 1°* *Feb* 9 [Bill 52]

Monk, Mr. C. J., *Gloucester City*
  Army—Gunner Charlton, Case of, Res. 1378
  Ecclesiastical Dilapidations Acts, 1208
  Ecclesiastical Offices and Fees, 2R. 766
  Forest of Dean, 389
  House Occupiers Disqualification Removal, 2R. Amendt. 339
  Metropolis—Hyde Park—The Mounds, 1573
  Supply—Public Offices, Furniture of, 1042

Montagu, Right Hon. Lord R., *Westmeath*
  Supply—Colonial Local Revenue, &c. 1067 ; Amendt. 1982, 1993, 1995
  Turkey—Miscellaneous Questions
    Conference at Constantinople — Papers, 1449
    Greek Subjects, 382
    Treaty of 1856, 499, 503
  West Africa—Colonial Revenues, 1452

Montgomery, Sir G. G., *Peeblesshire*
  Intoxicating Liquors (Scotland), 2R. 1909

Morgan, Mr. G. Osborne, *Denbighshire*
  Ancient Monuments, 2R. 1549
  Colonial Marriages, 2R. 1186
  Judicature Acts—Increase of the Judicial Staff, 964
  Supreme Court of Judicature, 2R. 2015
  Universities of Oxford and Cambridge, Leave, 143 ; 2R. 598

Morley, Mr. S., *Bristol*
  Mercantile Marine—Lighthouse in Morte Bay, 1255, 1256
  Prisons, Comm. *cl.* 8, 883

Morris, Mr. G., *Galway*
  Army—Auxiliary Forces—Galway Artillery Regiment, 828
  Poor Law Unions (Ireland), 828

Mowbray, Right Hon. J. R., *Oxford University*
  Parliament—Business of the House, Res. 332
  Supply—Winchester House, Purchase of, 1051
  Universities of Oxford and Cambridge, 2R. 594

Mulholland, Mr. J., *Downpatrick*
  Irish Church Acts Amendment, 2R. 350

Mundella, Mr. A. J., *Sheffield*
  Cruelty to Animals, Motion for an Address, 633, 635
  Parliament—Address in Answer to the Speech, 109
  Patents for Inventions, Leave, 224, 226
  Prisons, Leave, 135
  Supply—Public Offices, Acquisition of Land and Houses as a Site for, 1047, 1048, 1049
    Winchester House, Purchase of, 1050, 1052
  Town Councils and Local Boards, 2R. 1157
  Turkey—Bulgaria, Outrages in—Acquittal of Tossoun Bey, 1258

Muntz, Mr. P. H., *Birmingham*
  Prisons, Comm. Amendt. 859 ; *cl.* 5, 871 ; *cl.* 10, 1219 ; *cl.* 14, 1236
  Supply—Winchester House, Purchase of, 1052
  Trade Marks Registration Acts—Barrows *v.* The Registrar of Trade Marks, 1579
  Valuation of Property, 2R. 1604, 1637

Mure, Colonel W., *Renfrew*
  Army—Militia Surgeons—Warrant of 1876, 1974
  Army—Case of Gunner Charlton, Res. 1376
  Army Estimates—Land Forces, 1412
  Game Laws (Scotland) Amendment, 2R. 786
  Intoxicating Liquors (Scotland), 2R. 1904
  Prisons, Comm. *cl.* 20, 1245, 1246
  Turkey—Loans of 1854 and 1855, 174
    Treaty of 1856, 549

Murphy, Mr. N. D., *Cork City*
  County Officers and Courts (Ireland), Leave, 246
  Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 188

Museum of Natural History (*South Kensington*)
  Question, Lord Arthur Russell ; Answer, Mr. Gerard Noel *Mar* 9, 1650

Mutiny Bill (*Mr. Secretary Hardy, The Judge Advocate General, Mr. Stanley*)
c. Ordered * *Mar* 6
Read 1° * *Mar* 7
Moved, "That the Bill be now read 2°" *Mar* 15, 2019
Amendt. to leave out from "That," and add "it is inexpedient that the Mutiny Bill should empower the Government to billet officers without making any payment to the occupiers of the houses on which the officers are billetted; also that where horses are billetted a fair price should be paid for forage and stable room" (*Captain Nolan*) *v.*; Question proposed, "That the words, &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Parnell*); Motion withdrawn
Question again proposed, "That the words, &c.;" Question put, and agreed to
Main Question put, and agreed to; Bill read 2°

NAGHTEN, Colonel A. R., *Winchester*
Army—Criminal Offences in Military Districts, 582
Army Estimates—Land Forces, 1433

Naval Discipline Act, 1866—*Legislation*
Question, Mr. P. A. Taylor; Answer, Mr. Hunt *Mar* 8, 1567

Naval Pension Fund
Observations, Captain Price *Mar* 12, 1764

NAVY
MISCELLANEOUS QUESTIONS
Arctic Expedition
Double Time to Officers and Men, Question, Captain Pim; Answer, Mr. Hunt *Feb* 15, 388
Extra Leave, Question, Captain Pim; Answer, Mr. Hunt *Feb* 16, 467
Outbreak of Scurvy, Question, Dr. Ward; Answer, Mr. Hunt *Feb* 15, 383
The Medical Officers, Question, Captain Pim; Answer, Mr. Hunt *Mar* 2, 1261

Boilers, Observations, Sir John Hay; Reply, Mr. Hunt; debate thereon *Mar* 12, 1788
Boys, Ireland, Question, Mr. M'Carthy Downing; Answer, Mr. Hunt *Feb* 22, 831
Compassionate Allowances, Question, Mr. Puleston; Answer, Mr. Hunt *Feb* 26, 1019
Dockyard Superintendents, Questions, Mr. Shaw Lefevre; Answers, Mr. Hunt *Mar* 8, 1581
H.M.S. "Newcastle"—Loss of Life, Question, Mr. Hanbury-Tracy; Answer, Mr. Hunt *Feb* 9, 127
H.M.S. "Thunderer," Question, Mr. Seely; Answer, Mr. Hunt *Feb* 15, 390
H.M.S. "Vanguard," Question, Mr. Sullivan; Answer, Mr. Hunt *Feb* 20, 727; Observations, Dr. Cameron, Mr. A. F. Egerton *Mar* 12, 1769
Hobart Pasha, Question, Sir George Campbell; Answer, Mr. Hunt *Feb* 19, 581
Naval Artillery Volunteers, Question, Mr. Whalley; Answer, Mr. Hunt *Mar* 8, 1581

NAVY—*cont.*
Naval Cadets' College—Site, Question, Mr. E. J. Reed; Answer, Mr. Hunt *Mar* 1, 1206; Question, Mr. Edwards; Answer, Mr. Hunt *Mar* 8, 1577
Navigating Officers, Question, Mr. Anderson; Answer, Mr. Hunt *Feb* 19, 580
Officers of the Royal Marines and Engineer Department, Question, Mr. Gorst; Answer, Mr. Hunt *Feb* 9, 125
Pay of Royal Marines, Question, Dr. Kenealy; Answer, Mr. Hunt *Mar* 1, 1209
The Admiralty and the Russian Government, Question, Mr. W. Whitworth; Answer, Mr. Hunt *Feb* 23, 894
The Purchase Department, Question, Mr. Baxter; Answer, Mr. Hunt *Feb* 16, 461
The Training Ship "Britannia"—"Bullying," Question, Mr. Blake; Answer, Mr. Hunt *Mar* 15, 1975
Warrant Officers—The Order in Council, 1875, Question, Observations, Mr. Gorst, Mr. Childers *Mar* 12, 1780

Navy—Admiralty Administration
Motion for a Select Committee (*Captain Pim*) *Feb* 20, 755 [House counted out]

Navy—Admiralty Administration
Moved, "That this House, in order to remedy certain defects in the Administration of the Admiralty, recommends the Government to take into consideration the propriety of administering that Department by means of a Secretary of State:
"That this House further recommends the Government to take into consideration the advantage of appointing to the offices of Controller of the Navy and Superintendents of Her Majesty's Dockyards persons who possess practical knowledge of the duties they have to discharge; and of altering the rule which limits their tenure of office to a fixed term" (*Mr. Seely*) *Mar* 6, 1454; after long debate, Question put; A. 58, N. 183; M. 125 (D. L. 27)

Navy—Naval Criminal Returns
Amendt. on Committee of Supply *Mar* 12, To leave out from "That," and add "in the opinion of this House, it is desirable that more detailed information should be furnished to Parliament in regard to crime and punishment in the Navy, such as was afforded by the Returns for the years 1863, 1864, and 1865" (*Mr. P. A. Taylor*) *v.*, 1783; after short debate, Question put, "That the words, &c.;" A. 121, N. 65; M. 56 (D. L. 32)

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Civil Service Estimates—Proposed Ministerial Statement, Res. 1031
Local Administration—Representative County Boards, Res. 1726
Prisons, Leave, 134; 2R. 422, 434, 453; Comm. 845, 859, 865; *cl.* 5, 868; *cl.* 11, 1224; Amendt. 1227, 1228, 1230

[*cont.*

New Forest, The—Legislation
Question, Earl Percy; Answer, Mr. W. H. Smith *Feb* 16, 463

Newfoundland—The French Shore
Question, Mr. A. M'Arthur; Answer, Mr. J. Lowther *Feb* 19, 578

Newspapers Registration Bill
(*Mr. Waddy, Sir Charles Russell, Mr. Cole*)
c. Ordered; read 1° * *Feb* 9 [Bill 8]

Noel, Right Hon. G. J. (First Commissioner of Works), *Rutland*
- Home Office—Reception of Deputations, 1360, 1761
- Metropolis—Miscellaneous Questions
  - Hyde Park Corner, 898;—Constitution Hill, 1205
  - Hyde Park—Rotten Row, 384;—The Mounds, 1573, 1574
  - Kensington Gardens, 1203
  - Public Offices, 737
- Museum of Natural History (South Kensington), 1650
- Ordnance Survey, 1757
- Palace of Westminster—Ladies' Gallery, 737
- Royal Academy—Sir Francis Chantrey's Bequest, 731
- Supply—Houses of Parliament, 1044, 1045
  - National Gallery Enlargement, 1045
  - New Courts of Justices and Offices, 1046, 1047
  - Public Buildings, 1042
  - Public Offices, Furniture of, 1043
  - Winchester House, Purchase of, 1049
- War Office—Sanitary State, 180;—Report on, 1260

Nolan, Captain J. P., *Galway Co.*
- Army Estimates—Land Forces, 1429
- Constabulary (Ireland) — Drill and Guard Mounting, 734
- Criminal Punishments (Ireland) (Applications for Remissions), Motion for a Return, 1899
- Foreign Office and Diplomatic Service—Open Competition, Res. 929
- German Empire—French Residents, 1972
- German Subjects in England—The German Army, 1857
- Local Administration—Representative County Boards, Res. 1693
- Navy Estimates—Navy (Excess), 1875-6, 1830
- Parliament—Business of the House, Res. Motion for Adjournment, 333
- Poor Law Unions Amalgamation (Ireland), Motion for a Select Committee, 1525
- Prisons (Ireland), 2R. 455, 457
- Sale of Intoxicating Liquors on Sunday (Ireland), 981
- Supply—British Embassy Houses, &c. 1056
- Supreme Court of Judicature (Ireland), 2R. 631
- Valuation of Property, 2R. 1636, 1637
- Valuation of Property (Ireland), Leave, 1074

Norfolk and Suffolk Fisheries Bill
(*Mr. James Duff, Lord Rendlesham, Mr. Colman*)
c. Ordered; read 1° * *Mar* 15 [Bill 117]

North America—Extradition—See title *United States*

Northcote, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

Norwood, Mr. C. M., *Kingston-upon-Hull*
- Cattle Plague—Outbreak at Hull, 1087
- Prisons, Comm. *cl.* 14, 1235
- Supply—Board of Trade, 1062

Nova Scotia—Nullity of Legislation—Marriages
Questions, Mr. W. Johnston; Answers, Mr. J. Lowther *Mar* 1, 1213; *Mar* 8, 1583

O'Beirne, Captain F., *Leitrim*
- Army—Artillery and Cavalry Officers, 1449
- Army Estimates—Land Forces, 1409
- Post Office (Telegraph Department)—Leitrim, 1853

O'Brien, Sir P., *King's Co.*
- Army—Irish Regiment of the Guards, 1020
- Licensing—Middlesex Magistrates, 1088
- Marine Mutiny, 2R. 2018

O'Byrne, Mr. W. R., *Wicklow Co.*
- Prisons (Ireland), 2R. 457

O'Clery, Mr. K., *Wexford Co.*
- Education—Celtic and Welsh Languages, 1359
- International Maritime Law—Declaration of Paris, 1856, 1343
- Ireland—Sunday Closing of Public Houses, 124
- Russia—Polish Provinces, 1760

O'Conor Don, The, *Roscommon Co.*
- Election Petitions, Trial of, 583
- Grand Jury Laws (Ireland), 381

O'Gorman, Major P., *Waterford*
- Prisons (Ireland), 2R. Motion for Adjournment, 457
- Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 192, 193, 201
- Threshing Machines, 2R. 345

O'Loghlen, Right Hon. Sir C. M., *Clare Co.*
- Army—Courts Martial, 379
- County Officers and Courts (Ireland), Leave, 246
- Railway Commissions, 736
- Supreme Court of Judicature (Ireland), 2R. 624

O'Neill, Hon. E., *Antrim*
- Army—Antrim—Brigade Depôts, 1208

ONSLOW, Mr. D. R., *Guildford*
Beer Licences (Ireland), Comm. *cl.* 1, 1072
East India Finance, Motion for a Select Committee, 306
Supply—Diplomatic Services, 1981

Open Spaces (Metropolis) Bill
(*Mr. Whalley, Mr. Morgan Lloyd, Sir George Bowyer*)
c. Ordered; read 1°* *Feb* 9 [Bill 62]
Read 2°, after short debate *Feb* 28, 1194
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 1, 1248
Moved, "That the Debate be now adjourned" (*Mr. Parnell*); after short debate, Motion withdrawn
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report
Considered* *Mar* 8
Read 3°* *Mar* 9
l. Read 1ª* (*Duke of Westminster*) *Mar* 12 (No. 24)

Ordnance Survey
Question, Mr. Paget; Answer, Mr. Gerard Noel *Mar* 12, 1757

O'REILLY, Mr. M. W., *Longford Co.*
Foreign Service, British Subjects in, 125
Irish Church Acts Amendment, 2R. 358
National School Teachers (Ireland)—Payment by Fees, 375
Prisons (Ireland), Leave, 148
Supply—Superannuation and Retired Allowances, &c. 2010

O'SHAUGHNESSY, Mr. R., *Limerick*
Beer Licences (Ireland), Consid. 1643
Criminal Punishments (Ireland) Applications for Remissions, Motion for a Return, 2023
International Education (Ireland), 374
Irish Church Acts Amendment, 2R. 350
Open Spaces (Metropolis), Comm. 1248
Poor Law Unions Amalgamation (Ireland), Motion for a Select Committee, 1524
United States — Extradition — Brent's Case, 1761, 1762

O'SULLIVAN, Mr. W. H., *Limerick Co.*
Beer Licences (Ireland), 2R. 338
Prisons (Ireland), 2R. 456
Sale of Intoxicating Liquors on Sunday (Ireland), 2R. Amendt. 186

Outlawries Bill
c. Read 1°* *Feb* 8

Oyster Fisheries
Question, Sir Charles Legard; Answer, Sir Charles Adderley *Feb* 12, 178

PAGET, Mr. R. H., *Somersetshire, Mid*
Justices Clerks, Comm. *cl.* 2, 1639
Local Administration—Representative County Boards, Res. 1692
Ordnance Survey, 1757
Pensions to Police Constables' Widows, 1216
Prisons, Comm. *cl.* 3, Amendt. 866; *cl.* 5, 869; *cl.* 10, 1219; Amendt. 1223; *cl.* 11, 1228; *cl.* 20, 1245

PALMER, Mr. C. M., *Durham, N.*
Mercantile Marine—Training Ships, 464

Parliament
LORDS—
MEETING OF THE PARLIAMENT *Feb* 8
The Parliament opened by THE QUEEN in Person

Her Majesty's Most Gracious Speech delivered by The LORD CHANCELLOR *Feb* 8, 2
AN ADDRESS TO HER MAJESTY thereon moved by Viscount GREY DE WILTON (the Motion being seconded by The Earl of HADDINGTON), and, after long debate, agreed to, *Nemine Dissentiente* *Feb* 8, 7
HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 13, 249
Chairman of Committees—The Earl of Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 8
Committee for Privileges—appointed *Feb* 8
Sub-Committee for the Journals—appointed *Feb* 8
Appeal Committee—appointed *Feb* 8
ROLL OF THE LORDS—Garter King of Arms attending, delivered at the Table (in the usual manner) a List of the Lords Temporal in the Fourth Session of the Twenty-first Parliament of the United Kingdom *Feb* 8
The Lord Chancellor acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table (No. 3) *Feb* 12
Representative Peers for Scotland, The Clerk of the Parliaments delivered a Certificate of the Clerk of the Crown that the Earl of Mar and Kellie and the Lord Balfour of Burley had been elected Representative Peers for Scotland in the room of the Marquess of Tweeddale and the Earl of Leven and Melville deceased *Feb* 8
Business of the House, Observations, Question, Earl Granville; Reply, The Earl of Beaconsfield *Feb* 16, 458
Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee on, appointed *Feb* 15; List of the Committee, 371
Yeoman Usher of the Black Rod, Ordered, That Lieutenant-Colonel the Honourable Wellington P. M. C. Talbot, Serjeant-at-Arms, be permitted to officiate in the room of Colonel Clifford during his absence through deep domestic affliction

[*cont.*

Parliament—Lords—*cont.*

Private Bill Legislation

Orders in relation to Petitions *Feb* 15, 371

Private Bills, Committee on Standing Orders, appointed *Feb* 15; List of the Committee, 370

Opposed Private Bills, Committee appointed *Feb* 15; List of the Committee, 371

COMMONS—

The Queen's Speech having been reported; An humble Address thereon moved by Viscount Galway (the Motion being seconded by Mr. Torr) *Feb* 8, 59; after long debate, Motion agreed to; and a Committee appointed to draw up the said Address; List of the Committee, 121

Report of Address brought up, and read *Feb* 9, 129; after short debate, Address agreed to; to be presented by Privy Councillors

Her Majesty's Answer to the Address reported *Feb* 13, 332

Committee on Printing, Motion for a Select Committee (*Mr. W. H. Smith*) *Feb* 9, 150; after short debate, Motion postponed; Select Committee appointed; List of the Committee, 152

Kitchen and Refreshment Rooms (*House of Commons*)—Standing Committee appointed and nominated; List of the Committee *Feb* 12, 247

Privileges—Ordered, That a Committee of Privileges be appointed *Feb* 8

Public Accounts—Committee nominated; List of the Committee *Feb* 13, 339

Public Petitions—Committee appointed and nominated; List of the Committee *Feb* 13, 340

Selection—Committee nominated; List of the Committee *Feb* 9, 152

Standing Orders—Select Committee nominated; List of the Committee *Feb* 9, 152

Order

Divisions, Observations, Question, Mr. Beresford Hope; Reply, Mr. Speaker *Feb* 14, 369

Public Business

Question, Sir George Campbell; Answer, The Chancellor of the Exchequer *Feb* 19, 584

Scotch Business, Observations, Sir George Campbell; Reply, Mr. Assheton Cross; debate thereon *Feb* 23, 929

Ash Wednesday, Resolved, "That this House do meet To-morrow, at Two of the clock" (*Mr. Chancellor of the Exchequer*) *Feb* 13, 264

The Easter Recess, Questions, Mr. Beresford Hope, Mr. Hankey, Lord Eslington, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer, Mr. W. H. Smith *Mar* 12, 1763

Trial of Election Petitions—Legislation, Question, Mr. Serjeant Simon; Answer, The Attorney General *Feb* 15, 383; Question, Mr. O'Conor; Answer, The Attorney General *Feb* 19, 583; Question, Mr. Butt; Answer, Mr. Assheton Cross *Mar* 1, 1204

[*cont.*

Parliament—Commons—*cont.*

Palace of Westminster—The Ladies' Gallery, Question, Mr. Serjeant Sherlock; Answer, Mr. Gerard Noel *Feb* 20, 737

Parliament—Business of the House

Resolved, That whenever notice has been given that Estimates will be moved in Committee of Supply and the Committee stands as the first Order of the Day upon any day except Thursday and Friday, on which the Government Orders have precedence, the Speaker shall, when the Order for the Committee has been read, forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee, unless on going into Committee on the Army, Navy, or Civil Service Estimates respectively, an Amendment be moved relating to the division of Estimates proposed to be considered on that day (*Mr. Chancellor of the Exchequer*)

Question, Observations, Mr. Goldsmid; Reply, Mr. Speaker *Feb* 26, 1023

Parliament—Business of the House

Moved, "That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called" (*Mr. Mowbray*) *Feb* 13, 332

Moved, "That the Debate be now adjourned" (*Captain Nolan*); after short debate, Motion withdrawn

Original Question again proposed

Amendt. in line 1, to leave out "except for a Money Bill" (*Mr. Biggar*); Question proposed, "That the words, &c.;" Amendt. withdrawn

Amendt. at the end of the Question to add "and that the same rule shall be adopted on Wednesdays after a quarter to Six of the clock, and on other days, when the House meets at Two of the clock p.m., after ten minutes to Seven of the clock" (*Mr. Dillwyn*); Question put, "That those words be there added;" A. 32, N. 185; M. 153 (D. L. 3)

Main Question put; A. 185, N. 23; M. 162 (D. L. 4)

Parliament—House of Lords

New Peers

Feb 8—The right honble. Sir William Coutts Keppel (commonly called Viscount Bury), K.C.M.G., summoned by Writ to the House of Lords in his father's barony of Ashford of Ashford

John Thomas Lord Redesdale, created Earl of Redesdale

Mortimer Sackville West, esquire, created Baron Sackville of Knole

Sir Richard Airey, G.C.B., created Baron Airey of Killingworth

[*cont.*

PARLIAMENT—LORDS—*New Peers—cont.*
The right honble. Benjamin Disraeli (Lord Privy Seal), created Viscount Hughenden of Hughenden and Earl of Beaconsfield

Sat First
Feb 8—The Lord Ribblesdale, after the death of his Father
The Lord Sandhurst, after the death of his Father
The Lord Lyttelton, after the death of his Father
The Earl of Suffolk and Berkshire, after the death of his Father
Feb 13—The Earl of Lonsdale, after the death of his Father

Representative Peers for Scotland (*Certificates*)
Feb 8—Earl of Mar and Kellie, *v.* Marquess of Tweddale, deceased
Lord Balfour of Burley, *v.* Earl of Leven and Melville, deceased

PARLIAMENT—HOUSE OF COMMONS
New Writs Issued
During Recess
For Buckingham County, *v.* Right honble. Benjamin Disraeli, now Earl of Beaconsfield
For Universitiees of Glasgow and Aberdeen, *v.* Right honble. Edward Strathearn Gordon, Lord of Appeal in Ordinary
For Salop County (Southern Division), *v.* Right honble. Sir Percy Egerton Herbert, K.C.B., deceased
For Frome, *v.* Henry Charles Lopes, esquire, a Judge of Her Majesty's High Court of Justice
For Liskeard, *v.* Right honble. Edward Horsman, deceased
For Waterford County, *v.* Sir John Esmonde, baronet, deceased
For Sligo County, *v.* Sir Robert Gore Booth, baronet, deceased
1877
Feb 8—*For* Dublin University, *v.* Edward Gibson, esquire, Attorney General for Ireland
Feb 9—*For* Wilton, *v.* Sir Edmund Antrobus, baronet, Chiltern Hundreds
Feb 12—*For* Halifax, *v.* John Crossley, esquire, Chiltern Hundreds
Feb 19—*For* Oldham, *v.* John Morgan Cobbett, esquire, deceased
Feb 23—*For* Launceston, *v.* James Henry Deakin, esquire, Manor of Northstead

New Members Sworn
Feb 8—Honble. Thomas Francis Fremantle, *Buckingham County*
Henry Bernhard Samuelson, esquire, *Frome*
Leonard Henry Courtney, esquire, *Liskeard*
William Wilson, esquire, *Donegal County*

PARLIAMENT—COMMONS—*New Members Sworn—cont.*
John Barran, esquire, *Leeds*
Right honble. Gerard James Noel, *Rutland County*
William Watson, esquire, *Universities of Glasgow and Aberdeen*
Feb 12—John Edmund Severne, esquire, *Salop County* (Southern Division)
Feb 13—James Delahunty, esquire, *Waterford County*
Feb 19—Right honble. Edward Gibson, *The College of the Holy Trinity, Dublin*
Feb 22—John Dyson Hutchinson, esquire, *Halifax*
Edward Robert King-Harman, esquire, *Sligo County*
Honble. Sidney Herbert, *Wilton*
Mar 5—John Tomlinson Hibbert, esquire, *Oldham*
Sir Hardinge Stanley Giffard, *Launceston*

Parliamentary and Municipal Registration Bill
(*Mr. Marten, Mr. Torr, Mr. Dodds*)
c. Ordered; read 1°* *Feb* 9 [Bill 59]
Moved, "That the Bill be now read 2°" *Mar* 14, 1960
Moved, "That the Debate be now adjourned" (*Mr. Locke*); after short debate, Question put, and negatived
Main Question put, and agreed to; Bill read 2°, and committed to a Select Committee

Parliamentary Electors Registration Bill
(*Mr. Boord, Sir Charles Dilke, Mr. Grantham*)
c. Ordered; read 1°* *Feb* 9 [Bill 53]

Parliamentary Registration (Ireland) Bill (*Mr. Mitchell Henry, Mr. Meldon*)
c. Ordered; read 1°* *Feb* 9 [Bill 15]

PARNELL, Mr. C. S., *Meath*
Army Estimates—Army Purchase Commission, Motion for reporting Progress, 1442
Land Forces, Motion for reporting Progress, 1439
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Patents for Inventions Bill
(*Mr. Attorney General, The Lord Advocate, Mr. Solicitor General for Ireland*)
c. Motion for Leave (*The Attorney General*) *Feb* 12, 217; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 64]

PEASE, Mr. J. W., *Durham, S.*
Prisons, Comm. 863; *cl.* 8, 883; *cl.* 10, 1219; *cl.* 11, 1225, 1229

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PEEL, Mr. A. W., *Warwick Bo.*
Floods, The, 1977
Thames Valley, Floods in the, 1573

Peerage of Ireland Bill (*Sir Colman O'Loghlen, Lord Francis Conyngham*)
c. Ordered; read 1° * *Feb* 13 [Bill 81]

PELL, Mr. A., *Leicestershire, S.*
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(*Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Mr. William Johnston, Dr. Cameron, Mr. Dalway*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *Feb* 9 [Bill 42]

PHILIPS, Mr. R. N., *Bury, Lancashire*
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(*Mr. Boord, Sir Charles Mills, Sir Charles Dilke, Mr. Goldsmid*)
c. Ordered; read 1° * *Feb* 9 [Bill 27]

PLUNKET, Hon. D. R. (Solicitor General for Ireland), *Dublin University*
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Police—Pensions to Constables' Widows
Question, Mr. Paget; Answer, Mr. Assheton Cross *Mar* 1, 1216

Police Superannuation—Legislation
Question, General Shute; Answer, Mr. Assheton Cross *Feb* 23, 898

Police Superannuation Funds
Select Committee appointed "to inquire into the Police Superannuation Funds in the Counties and Boroughs of England and Wales, and the Acts creating and regulating the same, and to report to the House whether any, and, if any, what alterations or amendments in the Law are required" (*Sir Henry Selwin-Ibbetson*) *Feb* 26; List of the Committee, 1074

Poor Law—Election of Guardians, Cheltenham
Question, Mr. H. B. Samuelson; Answer, Mr. Sclater-Booth *Mar* 8, 1568

Poor Law Guardians Elections (Ireland) Bill (*Sir Colman O'Loghlen, Mr. Callan, Mr. Maurice Brooks, Mr. Downing*)
c. Ordered; read 1° * *Feb* 9 [Bill 46]

POST OFFICE
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PRICE, Captain G. E., *Devonport*
Admiralty Administration, Res. 1497, 1499
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Prisons Bill
(*Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. Motion for Leave (*Mr. Assheton Cross*) *Feb* 9, 132; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 1]
Moved, "That the Bill be now read 2°" *Feb* 15, 392
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Rylands*); after long debate, Question put, "That 'now,' &c.;" A. 279, N. 69; M. 210 (D. L. 8)
Main Question put, and agreed to; Bill read 2°
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Feb* 22, 845

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Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Muntz*) *v.*; Question proposed, "That the words, &c.;" After short debate, Question put, and agreed to
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P., 865
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Prison Officials, Question, Colonel Chaplin; Answer, Mr. Assheton Cross *Mar* 13, 1852

Prisons (Ireland) Bill
(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*)
c. Motion for Leave (*Sir Michael Hicks-Beach*) *Feb* 9, 144; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 3]
Moved, "That the Bill be now read 2°" *Feb* 15, 454
After short debate, Moved, "That the debate be now adjourned" (*Major O'Gorman*); Question put; A. 5, N. 199; M. 194 (D. L. 9)
Main Question put, and agreed to; Bill read 2°
Committee * —R.P. *Feb* 22

Prisons—Millbank—The Dietary
Question, Sir Edward Watkin; Answer, Mr. Assheton Cross *Mar* 1, 1209

Prisons (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Motion for Leave (*The Lord Advocate*) *Feb* 9, 148; Motion agreed to; Bill ordered; read 1° * [Bill 4]

Protection to Growing Crops (Scotland) Bill (*Sir Alexander Gordon, Sir Robert Anstruther, Viscount Macduff, Sir Windham Anstruther*)
c. Ordered; read 1° * *Feb* 12 [Bill 74]

Publicans Certificates (Scotland) Bill
(*Dr. Cameron, Mr. Ramsay, Mr. Mackintosh*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *Feb* 14 [Bill 87]
Read 2° *Feb* 26, 1072
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Read 3° * *Feb* 28
l. Read 1ª * (*Earl Stanhope*) *Mar* 1 (No. 14)
Read 2ª *Mar* 9, 1646
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Small-Pox Hospital at Limehouse, Question, Mr. Ritchie; Answer, Mr. Sclater-Booth *Mar* 9, 1653
Storage and Conveyance of Water, Question, Mr. Whalley; Answer, Mr. Sclater-Booth *Feb* 9, 129
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War Office—Report on Sanitary State, Question, Sir William Fraser; Answer, Mr. Gerard Noel *Feb* 12, 179; Question, Mr. Kay-Shuttleworth; Answer, Mr. Gerard Noel *Mar* 2, 1260; Question, Mr. Coope; Answer, The Chancellor of the Exchequer *Mar* 8, 1572

Public Health (Ireland) Bill
(*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Sir Michael Hicks-Beach*) *Mar* 15, 2023; Motion agreed to; Bill ordered; read 1° * [Bill 116]

Public Parks (Scotland) Bill
(*Mr. Fortescue Harrison, Sir Windham Anstruther, Sir George Balfour, Dr. Cameron, Mr. William Holms*)
c. Ordered; read 1° * *Mar* 8 [Bill 111]

Public Record Office Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª * *Feb* 20 (No. 8)
Read 2ª, after short debate *Feb* 27, 1075
Committee; Report; Bill re-committed *Mar* 6, 1443
After short debate, Order for Committee (*on re-comm.*) read, and discharged; and Bill referred to a Select Committee *Mar* 13, 1833

Puleston, Mr. J. H., *Devonport*
Navy—Compassionate Allowances, 1019

Racecourses (Licensing) Bill
(*Mr. Anderson, Sir James Lawrence, Sir Thomas Chambers*)
c. Ordered; read 1° * *Feb* 9 [Bill 54]

Raikes, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Army Estimates—Land Forces, 1430
Ecclesiastical Offices and Fees, 2R. 760
London, Brighton, and South Coast Railway (Various Powers), 2R. 1252
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(*Mr. H. B. Sheridan, Mr. Ashbury, Mr. Thomas Cave, Mr. Anderson, Mr. Gourley*)
c. Ordered; read 1° * *Feb* 21 [Bill 98]

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Railway Accidents Commission—The Evidence, Papers, and Report, Questions, Mr. Henry Samuelson, Mr. Bentinck; Answers, Mr. Assheton Cross, Sir Charles Adderley *Feb* 13, 259;—*Legislation,* Question, Observations, Earl De La Warr, The Earl of Sandwich; Reply, The Earl of Beaconsfield *Feb* 13, 254
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Ramsay, Mr. J., *Falkirk, &c.*
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Real Estate of Intestates Bill
(*Mr. Potter, Mr. Leatham, Mr. Hopwood, Mr. Price, Sir Wilfrid Lawson*)
c. Ordered; read 1° * *Feb* 9 [Bill 40]

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Reed, Mr. E. J., *Pembroke*
  Admiralty Administration, Res. 1475, 1478, 1498, 1505, 1523
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    Science and Art Department, 1065
    Superannuation and Retired Allowances, &c. 2011

Registration of Borough Voters Bill
(*Sir Charles Dilke, Mr. Rathbone, Mr. Boord*)
c. Ordered; read 1° * *Feb* 9 [Bill 38]
  2R. *Feb* 21, 795; after short debate, Debate adjourned
  Debate resumed *Mar* 14, 1961; Question put, and agreed to; Bill read 2°
  Committee *; Report *Mar* 15 [Bill 115]

Richard, Mr. H., *Merthyr Tydvil*
  Supply—Diplomatic Services, 1979

Richmond and Gordon, Duke of (Lord President of the Council)
  Burial Acts Consolidation, 1R. 1833
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Ridley, Mr. M. W., *Northumberland, N.*
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Ripley, Mr. H. W., *Bradford*
  United States—Philadelphia Exhibition, 1091

Ritchie, Mr. C. T., *Tower Hamlets*
  Army—Coast Guard Brigade, Royal Artillery, 1967
  Metropolitan Asylum District Board, Motion for a Select Committee, 738, 754
  Public Health—Small-pox Hospital at Limehouse, 1653

Roads and Bridges (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Motion for Leave (*The Lord Advocate*) *Feb* 12, 234; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 65]

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(*Sir Edward Colebrooke, Sir Windham Anstruther, Colonel Mure*)
c. Ordered; read 1° * *Feb* 12 [Bill 72]

Robertson, Mr. H., *Shrewsbury*
  Central Asia—Treaty with Khelat, 1965

Rodwell, Mr. B. B. H., *Cambridgeshire*
  Ancient Monuments, 2R. 1550
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Roebuck, Mr. J. A., *Sheffield*
  Colonial Marriages, 2R. 1176
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  Question, Lord Campbell; Answer, The Earl of Derby *Feb* 19, 573

Russell, Lord A. J. E., *Tavistock*
  Museum of Natural History (South Kensington), 1650

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  Polish Provinces, Question, Mr. O'Clery; Answer, Mr. Bourke *Mar* 12, 1760
  Religious Persecution in Poland, Question, Mr. Owen Lewis; Answer, Mr. Bourke *Mar* 1, 1214
  Russian Fleet in the Pacific, Question, Captain Pim; Answer, Mr. Hunt *Feb* 20, 735

Rylands, Mr. P., *Burnley*
  Civil Service Estimates—Proposed Ministerial Statement, Res. 1027
  Prisons, 2R. Amendt. 392, 449; Comm. *cl.* 1, 865; *cl.* 5, 870; *cl.* 6, Amendt. 873
  Supply—Acquisition of Land and Houses as a Site for Public Offices, 1049
    Agency and Consulate General at Zanzibar, &c. 1069
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    Houses of Parliament, 1044
    Superannuation and Retired Allowances, &c. 2009, 2010
    Tonnage Bounty, &c. 2006
  Turkey—Bulgarian Atrocities, 1257, 1575;—Shefket Pasha, 830;—Tossoun Bey, Acquittal of, 1259

St. Albans, Duke of
  Turkey—Royal Engineer Officers, Mission of, 161

Saint Giles and Saint Luke's Joint Charities Bill (*by Order*)
c. Moved, "That the Bill be now read 2°" *Feb* 27, 1078
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Gregory*); after short debate, Question, "That 'now,' &c.," put, and agreed to
  Main Question put, and agreed to; Bill read 2°

Sale of Intoxicating Liquors on Sunday Bill (*Mr. Charles Wilson, Mr. Birley, Mr. M'Arthur, Mr. Osborne Morgan, Mr. James*)
c. Motion for Leave (*Mr. Wilson*) *Feb* 14, 361; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 83]

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*Mr. Richard Smyth, The O'Conor Don, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond*)
c. Ordered; read 1°* *Feb* 9 [Bill 50]
  Moved, "That the Bill be now read 2°" *Feb* 12, 183
  Amendt. to leave out "now," and at the end of the Question add "upon this day six months" (*Mr. O'Sullivan*); after debate, Question put, "That 'now,' &c.;" A. 194, N. 23; M. 171 (D. L. 1)
  Main Question put, and agreed to; Bill read 2°, and committed to a Select Committee
  Ordered, That it be an Instruction to the Committee, that they do take Evidence as to the applicability of the measure to the Dublin Metropolitan Police District, the town of Belfast, and the cities of Cork, Limerick, and Waterford
  Committee nominated Feb 16; List of the Committee, 202
  Moved, "That the Select Committee do consist of Seventeen Members, and that Mr. Ion Trant Hamilton and Mr. O'Shaughnessy be added to the Committee" (*Sir Michael Hicks-Beach*) *Feb* 23, 981; after short debate, Motion agreed to
  Moved, "That the Select Committee do consist of 19 Members; that the Marquess of Hamilton and Mr. Richard Power be added to the Committee" (*Mr. Dunbar*) *Feb* 27, 1155; after short debate, Motion withdrawn

SALISBURY, Marquess of (Secretary of State for India)
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  Admiralty Administration, Res. 1495
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    Bulgaria—Consul Freeman, Mr., 831;—Despatch, 392;—Outrages in, Acquittal of Tossoun Bey, 1259
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SAMUELSON, Mr. B., *Banbury*
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SANDFORD, Mr. G. M. W., *Maldon*
  Prisons, Comm. *cl.* 10, Motion for reporting Progress, 886
  Turkey, Treaty of 1856, 566

SANDON, Right Hon. Viscount (Vice President of Committee of Council on Education), *Liverpool*
  Cattle Plague, 829, 830, 1859, 1860;—Outbreak at Hull, 1087, 1762;—West Riding of Yorkshire, 1366
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  Museum of Natural History (*South Kensington*), Question, Lord Arthur Russell; Answer, Mr. Gerard Noel *Mar* 9, 1650
  Royal Academy—Sir Francis Chantrey's Bequest, Question, Mr. Goldsmid; Answer, Mr. Gerard Noel *Feb* 20, 731

SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
  Floods, The Recent—Thames Commission, 574
  Loans to Urban and Rural Sanitary Authorities, 1650
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  Metropolitan Asylum District Board—Motion for a Select Committee, 747

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Sea Fisheries (Ireland) Bill
(*Dr. Ward, Mr. Butt, Mr. Collins, Sir Joseph M'Kenna*)
c. Ordered; read 1°* *Feb* 9 [Bill 44]

Seely, Mr. C., *Lincoln City*
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l. Bill, *pro formâ*, read 1ª

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(*Mr. Marten, Sir Henry Jackson, Mr. Gregory*)
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Sherlock, Mr. Serjeant D., *King's Co.*
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Slave Trade
Surrender of a Slave at Jeddah—The Instructions, Question, Sir George Campbell; Answer, Mr. Bourke *Feb* 12, 172

Slave Trade—Kidnapping in the South Seas
Moved that an humble Address be presented to Her Majesty for copies or extracts of correspondence on the subject of kidnapping in the South Seas (if any) since the last Papers relating to the matter were laid before the House (*The Earl of Belmore*) *Mar* 1, 1197; after short debate, Motion withdrawn

Sligo Borough (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Mitchell Henry, Captain Nolan*)
c. Ordered; read 1°* *Feb* 12 [Bill 68

Smith, Mr. T. E., *Tynemouth, &c.*
- Beer Licences (Ireland), 2R. Motion for Adjournment, 338
- Navy Estimates—Sea and Coast Guard Services, 1830

Smith, Mr. W. H. (Secretary to the Treasury), *Westminster*
- Army Estimates—Pay and Allowances, 1441
- Civil Service Estimates—Proposed Ministerial Statement, Res. 1033
- Customs and Inland Revenue—Duties on Offices and Pensions, 2R. 1734
- Forest of Dean, 389
- Inland Revenue Office, Bristol, 1017
- Inland Revenue Staff (Ireland), 1447
- Judicature Acts—Report of the Commission, 1019
- Navy Estimates—Exchequer Bonds, 1831
    - Sea and Coast Guard Services, 1829
- New Forest, 463
- Parliament—Easter Recess, 1764
    - Printing, Committee on, 150, 151
- Parliament—Business of the House, Res. 336
- Prisons, Comm. *cl.* 13, 1231
- Scotch Historical Records—The Grant, 1757
- Supply—Agency and Consulate General of Zanzibar, &c. Motion for reporting Progress, 1070
    - British Embassy Houses, &c. 1056
    - Civil Contingencies Fund, Repayments to, 2012
    - Inland Revenue, 2012
    - Law Charges, 1063, 1064
    - Mediterranean Extension Telegraph Company, 2011
    - Public Buildings, 1041
    - Public Offices, Acquisition of Land and Houses as a Site for, 1047
    - Public Offices, Furniture for, 1043
    - Queen's Bench, &c. of the High Court of Justice, 1064
    - Superannuation and Retired Allowances, &c. 2008, 2009, 2010, 2011
    - Tonnage Bounties, &c., 2006
- Treasury and Exchequer Bills, 2R. 1586 ; 3R. 1831
- Treasury Solicitors Act, 1876—Estate of the late Mr. W. Paterson, 896, 1257
- Valuation of Property (Ireland), Leave, 1073

Smollett, Mr. P. B., *Cambridge*
- East India Finance, Motion for a Select Committee, Amendt. 281, 304

Smyth, Mr. P. J., *Westmeath Co.*
- Irish Society of London, Motion for a Select Committee, 1105, 1113
- Turkey—Treaty of 1856, 582

Smyth, Mr. R., *Londonderry Co.*
- London, Brighton, and South Coast Railway (Various Powers), 2R. 1255
- Parliament—Business of the House, Res. 335
- Sale of Intoxicating Liquors on Sunday, Leave, 365
- Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 183, 188, 202

Somerset, Duke of
- Local Government of the Metropolis, Motion for Returns, 1744
- Public Record Office, 2R. 1077

Somerset, Lord H. R. C. (Comptroller of the Household), *Monmouthshire*
- Parliament—Queen's Speech, Her Majesty's Answer to Address, 332

South Africa
- *Confederation of the Cape Colonies—The Transvaal Republic*, Question, Mr. Gourley ; Answer, Mr. J. Lowther *Feb* 20, 734

Spain
- *Seizure of the "Lark" and the "Octavia,"* Question, Mr. Serjeant Simon ; Answer, Mr. Bourke *Feb* 12, 173
- *Taxation in Cuba*, Questions, Mr. Anderson, Mr. Childers ; Answers, Mr. Bourke *Mar* 15, 1970

Speaker, The (Right Hon. H. B. W. Brand), *Cambridgeshire*
- City Companies (Oaths by Freemen), Motion for a Return, 633
- Criminal Law—Queen *v.* Castro, 1733, 1860, 1861
- Customs and Inland Revenue—Duties on Offices and Pensions, 2R. 1733, 1734
- International Maritime Law—Declaration of Paris, 1856 ; Res. 1341
- Magistracy, Ireland—Appointment of Mr. W. J. Devlin, 470
- Parliament—Miscellaneous Questions
    - Order—Divisions, 369
    - Point of Order, 1023
    - Queen's Speech, 59
- Prisons, Leave, 137 ; Comm. 859
- Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 186
- Threshing Machines, Comm. 1196
- Turkey—Treaty of 1856, 549, 834
- Valuation of Property, 2R. 1636

Stanhope, Earl
- Publicans Certificates (Scotland), 2R. 1646

Stanhope, Mr. W. T. W. S., *Yorkshire, W.R.*
- Justices Clerks, Comm. *cl.* 2, 1640
- Prisons, 2R. 412 ; Comm. *cl.* 8, 880

Stanley of Alderley, Lord
- Colorado or Potato Beetle, 806
- Turkey—Instructions, The, 676

Stanley, Hon. Captain F. A. (Financial Secretary for War) *Lancashire, N.*
- Army Estimates—Pay and Allowances, 1440, 1441

Stansfeld, Right Hon. J., *Halifax*
Local Administration—Representative County Boards, Res. 1706, 1707, 1708
Town Councils and Local Boards, 2R. 1162
Valuation of Property, Leave, 214

Stewart, Mr. M. J., *Wigton Bo.*
China—Yunnan, Expedition to, 584
Egypt—Colonel Gordon, 1451
Game Laws (Scotland) Amendment, 2R. 783, 785
Parliament—Scotch Business, 947
Supply—Tonnage Bounties, &c. 2000

Storer, Mr. G., *Nottinghamshire, S.*
Manchester and Milford and Mid-Wales Railway Companies, 2R. 1964
Valuation of Property, 2R. Motion for Adjournment, 1634

Sullivan, Mr. A. M., *Louth Co.*
Army—Militia Recruits, 1017
Army—Gunner Charlton, Case of, Res. 1376
Criminal Law—Stamford, Alleged Outrage at, 1217, 1970
Unlawful Killing of a Dog, 1967, 1969
Local Government (Ireland), 263
Navy—H.M.S. "Vanguard," 727
St. Giles and St. Luke's Joint Charities, 2R. 1080
Sale of Intoxicating Liquors on Sunday (Ireland), 2R. 200, 201
Turkey—Treaty of 1856, 571

Summary Prosecutions Bill
(*Mr. Hopwood, Mr. Mundella, Mr. Burt*)

c. Motion for Leave (*Mr. Hopwood*) *Feb* 9, 151; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 9]

SUPPLY

Civil Service Estimates — Departmental Statement—
Resolved, That this House will, upon Monday next, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty *Feb* 9

Amendt. on Committee of Supply *Feb* 26, to leave out from "That," and add "it is desirable that proper explanation should be given by a Member of the Government before the House is asked to consider the Civil Service Estimates" (*Mr. Goldsmid*) *v.* 1023; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Considered in Committee *Feb* 26, 1041—Civil Services and Revenue Departments, Supplementary Estimates for 1876-7—Resolutions reported *Feb* 27

Considered in Committee *Mar* 5, 1389—Army Estimates and Army Supplementary Estimates—Departmental Statement of the Secretary of State for War in moving the Army Estimates — Resolutions reported *Mar* 6

[*cont.*

Supply—*cont.*

Considered in Committee *Mar* 12, 1810—Navy Estimates and Navy Excess Estimate, 1875-6 — Departmental Statement of the First Lord of the Admiralty in moving the Navy Estimates — Resolutions reported *Mar* 14

Considered in Committee *Mar* 15, 1978—Army Supplementary Estimate—Civil Services—Revenue Departments — Supplementary Estimates, Civil Services and Revenue Departments (Excesses) 1875-6 — Navy Supplementary Estimates and Navy Estimates—Vote of Credit Ashantee Expedition (Excess)—Resolutions reported *Mar* 16

Supreme Court of Judicature Bill
(*Mr. Attorney General, Mr. Secretary Cross, Mr. William Henry Smith*)

c. Considered in Committee *Feb* 27
Resolution reported, and agreed to; Bill ordered; read 1°* *Feb* 28 [Bill 103]
Moved, "That the Bill be now read 2°" *Mar* 15, 2015
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Parnell*); after short debate, Question proposed, "That 'now,' &c.;" Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°

Supreme Court of Judicature (Ireland) Bill (*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*)

c. Motion for Leave (*The Solicitor General for Ireland*) *Feb* 12, 241; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 66]
Read 2°, after short debate *Feb* 19, 620

Talbot, Mr. J. G., *Kent, W.*
Elementary Education (England) Act—Birmingham School Board, 1852
Prisons, Comm. *cl.* 14, 1240; *cl.* 20, 1246

Taylor, Mr. P. A., *Leicester Bo.*
Navy—Naval Discipline Act, 1866, 1567
Navy—Naval Criminal Returns, Res. 1783

Taylor, Mr. D., *Coleraine*
Irish Society of London, Motion for a Select Committee, 1129

Temple, Right Hon. W. F. Cowper-, *Hants, S.*
Ecclesiastical Offices and Fees, 2R. 755, 770
London, Brighton, and South Coast Railway (Various Powers), 2R. 1252
Prisons, Comm. *cl.* 14, 1234

Tenant Right (Ireland) Bill
(*Mr. Richard Smyth, Mr. Macartney, Mr. Crawford, Mr. Dickson*)

c. Ordered; read 1°* *Feb* 9 [Bill 56]

Territorial Waters Jurisdiction Bill
(*Mr. Gorst, Mr. Ritchie, Sir Henry Wolff*)
c. Ordered; read 1° * *Feb* 9 [Bill 10]

Thames River (Prevention of Floods) Bill
(*Sir James Hogg, Lord Claud John Hamilton, Sir John Hay, Sir Andrew Lusk, Mr. Holms*)
c. Ordered; read 1° * *Feb* 12 [Bill 70]
Read 2°, and committed to a Select Committee *Mar* 6

Thames Valley
The Recent Floods—The Commission, Question, Sir Charles Russell; Answer, Mr. Sclater-Booth *Feb* 19, 574; Questions, Mr. Coope, Mr. A. Peel; Answers, Mr. Assheton Cross *Mar* 8, 1573; Question, Mr. Arthur Peel; Answer, Mr. Assheton Cross *Mar* 15, 1977

Threshing Machines Bill
(*Mr. Chaplin, Mr. Clare Read*)
c. Ordered; read 1° * *Feb* 9 [Bill 20]
Read 2°, after short debate *Feb* 14, 341
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Feb* 28, 1159; after short debate, Debate adjourned

TORR, Mr. J., *Liverpool*
Parliament—Address in Answer to the Speech, 66

TORRENS, Mr. W. T. M., *Finsbury*
St. Giles and St. Luke's Joint Charities, 2R. 1078

Town Councils and Local Boards Bill
(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Morley*)
c. Ordered; read 1° * *Feb* 9 [Bill 11]
Read 2°, after short debate *Feb* 28, 1157

TRACY, Hon. C. R. D. HANBURY-, *Montgomery, &c.*
Navy—H.M.S. "Newcastle"—Loss of Life, 127

Trade Marks Registration Acts—Barrows v. the Registrar of Trade Marks
Question, Mr. Muntz; Answer, The Attorney General *Mar* 8, 1579

Tramways (*Use of Mechanical Power*)
Moved, That a Select Committee be appointed, "to consider how far, and under what regulations, the employment of steam or other mechanical power may be allowed upon Tramways and public roads" (*The Chairman of Ways and Means*) *Feb* 27, 1082; after short debate, Motion agreed to; List of the Committee, 1086

Treasury and Exchequer Bills Bill
(*Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Ordered; read 1° * *Feb* 15 [Bill 88]
Read 2°, after short debate *Mar* 8, 1583
Committee *; Report *Mar* 9
Considered; read 3°, after short debate *Mar* 12, 1831
l. Read 1ª * (*Earl of Beaconsfield*) *Mar* 13
Read 2ª; Committee negatived; Standing Orders Nos. XXXVII. and XXXVIII. considered, and dispensed with; read 3ª *Mar* 15, 1962 (No. 25)

Treasury Solicitor Act, 1876—*Estate of the late Mr. W. Paterson*
Questions, Mr. Grieve; Answers, Mr. W. H. Smith *Feb* 23, 896; *Mar* 2, 1257

TREVELYAN, Mr. G. O., *Hawick, &c.*
Army Estimates—Promotion and Retirement, 1576
Foreign Office and Diplomatic Service—Open Competition, Res. 899
Supply—Colonial Local Revenue, &c. 1990, 1996, 1998
Turkey—Treaty of 1856, 836

TURKEY
MISCELLANEOUS QUESTIONS
Atrocities in Bulgaria
Questions, Mr. Evelyn Ashley, Mr. Gladstone; Answers, Mr. Bourke *Feb* 12, 167; Questions, Mr. Rylands; Answers, Mr. Bourke *Mar* 2, 1257; *Mar* 8, 1575
Acquittal of Tossoun Bey, Questions, Mr. Mundella, Mr. H. B. Samuelson, Mr. Rylands; Answers, The Chancellor of the Exchequer, Mr. Bourke *Mar* 2, 1258
Bosnia, Question, Sir George Campbell; Answer, Mr. Bourke *Mar* 8, 1574
Petition from Bulgaria, Questions, Mr. Anderson, Mr. Gladstone; Answer, Mr. Bourke *Feb* 26, 1021; Question, Mr. Anderson; Answer, Mr. Bourke *Feb* 27, 1090
Shefket Pasha, Question, Mr. Rylands; Answer, Mr. Bourke *Feb* 22, 830

Papers and Despatches
Papers on the Affairs of Turkey — Lord Derby's Despatch to Lord Lyons, Jan 2, Question, Mr. W. E. Forster; Answer, Mr. Bourke *Feb* 12, 180
Christians in Turkey—Papers and Despatches respecting, Question, Sir H. Drummond Wolff; Answer, Mr. Bourke *Feb* 15, 390; Questions, Mr. Forsyth; Answers, Mr. Bourke *Mar* 6, 1448
Consul Freeman's Despatch, Question, Mr. Gladstone; Answer, Mr. Bourke *Feb* 15, 390; Question, Mr. Henry Samuelson; Answer, Mr. Bourke, 392; Question, The Marquess of Bath; Answer, The Earl of Derby *Feb* 16, 460; Questions, Mr. Henry Samuelson; Answer, Mr. Bourke *Feb* 22, 831
Expulsion of the Turks from Europe, Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer *Feb* 19, 581

[*cont.*

Turkey—cont.

Herzegovina—Austria—The Despatches, Question, Mr. Hopwood; Answer, Mr. Bourke *Feb* 20, 729

Further Papers—Bosnia and Bulgaria, Question, Mr. H. B. Samuelson; Answer, Mr. Bourke *Mar* 13, 1854

The Marquess of Salisbury's Telegram, May 8, Question, Lord Robert Montagu; Answer, Mr. Bourke *Mar* 6, 1449; Question, Mr. Hanbury; Answer, Mr. Bourke *Mar* 8, 1574

The British Consular Service

British Consular Posts in European Turkey, Questions, Mr. J. Holms, Mr. Gladstone; Answers, Mr. Gathorne Hardy *Feb* 22, 824; Questions, Mr. H. B. Samuelson, Mr. Gladtone; Answers, The Chancellor of the Exchequer *Feb* 27, 1088

British Subjects in Foreign Service, Question, Mr. O'Reilly; Answer, The Chancellor of the Exchequer *Feb* 9, 125

English Officers in the Turkish Service, Questions, Sir George Campbell; Answers, Mr. Hunt, Mr. Gathorne Hardy *Feb* 15, 372

Loans of 1854 *and* 1855, Question, Colonel Mure; Answer, The Chancellor of the Exchequer *Feb* 12, 174; Question, Mr. J. R. Yorke; Answer, The Chancellor of the Exchequer *Mar* 8, 1577;—*Explanation*, Question, Mr. J. R. Yorke; Answer, The Chancellor of the Exchequer *Mar* 9, 1651

Mission of Royal Engineer Officers, Question, Mr. O'Reilly; Answer, The Chancellor of the Exchequer *Feb* 9, 125; Question, Observations, The Duke of St. Albans; Reply, Earl Cadogan *Feb* 12, 461; Question, Sir Henry Havelock; Answer, Mr. Gathorne Hardy *Feb* 13, 259

Servia—The Jews and Armenians, Question, Mr. Serjeant Simon; Answer, Mr. Bourke *Feb* 16, 464

The Eastern Question

Sir Henry Elliott, Question, Sir George Campbell; Answer, The Chancellor of the Exchequer *Feb* 12, 177; Question, Mr. Hanbury; Answer, Mr. Bourke *Mar* 8, 1574

The Conference—The Marquess of Salisbury's Despatches, Question, Observations, Earl Granville; Reply, The Earl of Derby *Feb* 13, 252;—*Withdrawal of the Ambassadors*, Questions, Sir William Harcourt; Answer, The Chancellor of the Exchequer *Feb* 15, 385

Declaration of the Emperor of Russia, Question, Mr. B. Samuelson; Answer, The Chancellor of the Exchequer *Feb* 13, 262

Dismissal of Midhat Pasha, Question, Mr. A. Mills; Answer, Mr. Bourke *Feb* 13, 258

Greek Subjects of Turkey, Question, Lord Robert Montagu; Answer, The Chancellor of the Exchequer *Feb* 15, 382

Prince Gortchakoff's Circular, Question, Sir Charles W. Dilke; Answer, Mr. Bourke *Feb* 16, 462;—*Reply*, Question, Sir Charles W. Dilke; Answer, Mr. Bourke *Mar* 8, 1569

Demobilization of the Russian Army, Question, Sir H. Drummond Wolff; Answer, Mr. Bourke *Feb* 27, 1092

[*cont.*

Turkey—cont.

Negotiations, Question, Earl Granville; Answer, The Earl of Derby *Mar* 13, 1832

Progress of Negotiations, Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *Mar* 13, 1858

Turkey—The Instructions

Observations, Question, The Duke of Argyll *Feb* 20, 637; long debate thereon

Moved, That an humble Address be presented to Her Majesty for, Copy of the communication from the Secretary of State for Foreign Affairs to the Turkish Minister, referred to in the telegram of the 24th of December, 1876 (*The Duke of Argyll*); Motion withdrawn

Personal Explanations, Observations, The Earl of Rosebery, Earl Granville; Replies, The Earl of Beaconsfield, The Earl of Derby *Feb* 22, 797

Turkey—The Treaty of 1856

On Committee of Supply, Questions, Observations, Mr. Gladstone; Reply, Mr. Gathorne Hardy *Feb* 16, 470; after long debate, Moved, "That the debate be now adjourned" (*Mr. Chaplin*); after further debate, Question put, and agreed to

The Adjourned Debate, Question, Observations, Sir Charles W. Dilke; Reply, Mr. Speaker *Feb* 22, 834; Moved, "That this House do now adjourn" (*Mr. Mitchell Henry*); after short debate, Motion withdrawn

Turkey—The Treaties of 1856-1871

Moved that an humble Address be presented to Her Majesty, praying that Her Majesty will adopt such measures as appear to be the best calculated to prevent hostilities, to secure adherence to the Treaties of 30th March and 15th April 1856, so far as the Conference of 1871 has re-established them, and to promote the welfare of the races subject to the Ottoman Empire (*The Lord Stratheden and Campbell*) *Feb* 26, 982; after debate, on Question? resolved in the negative

Turnpike Acts Continuance

Select Committee appointed "to inquire into the Sixth Schedule of 'The Annual Turnpike Acts Continuance Act, 1876'" *Feb* 19; List of the Committee, 636

Union Justices (Ireland) Bill

(*Mr. O'Sullivan, Captain Nolan, Mr. Richard Power, Mr. O'Byrne*)

c. Ordered; read 1°* *Feb* 9 [Bill 28]

Union of Benefices Bill

(*Mr. Mills, Sir Harcourt Johnstone*)

c. Ordered; read 1°* *Feb* 21 [Bill 95]

Union Rating (Ireland) Bill
(*Sir Joseph M'Kenna, Mr. Collins, Mr. O'Clery, Dr. Ward*)
c. Ordered; read 1° * *Feb* 9 [Bill 33]

United States
Extradition—The Correspondence, Questions, Observations, Earl Granville; Reply, The Earl of Derby *Feb* 13, 249;—*Brent's Case*, Questions, Mr. O'Shaughnessy; Answers, Mr. Assheton Cross, Mr. Bourke *Mar* 12, 1761
The Philadelphia Exhibition, Question, Mr. Ripley; Answer, Viscount Sandon *Feb* 27, 1091

Universities of Oxford and Cambridge Bill (*Mr. Secretary Hardy, Mr. Secretary Cross, Mr. Walpole*)
c. Motion for Leave (*Mr. Gathorne Hardy*) *Feb* 9, 143; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 2]
Read 2°, after debate *Feb* 19, 584
Committee *; Report *Mar* 12 [Bill 113]
Petitions, Question, Mr. Goschen; Answer, Mr. Gathorne Hardy *Mar* 12, 1759

University Education (Ireland) Bill
(*Mr. Butt, The O'Conor Don, Mr. Mitchell Henry, Mr. MacCarthy, Mr. Sullivan*)
c. Ordered; read 1° * *Feb* 9 [Bill 55]

Vaccination Law (Penalties) Bill
(*Mr. Pease, Mr. James, Mr. Mundella, Mr. Leeman*)
c. Ordered; read 1° * *Feb* 21 [Bill 97]

Valuation of Property Bill
(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt*)
c. Motion for Leave (*Mr. Sclater-Booth*) *Feb* 12, 203; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 63]
Moved, "That the Bill be now read 2°" *Mar* 8, 1587
Amendt. to leave out from "That," and add "no general Valuation Act can be satisfactory which does not provide in the Valuation List a common authority and a common measure for the purposes of assessment, thus charging local rates and Imperial taxes equally upon the net or rateable value of real property" (*Mr. J. G. Hubbard*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Storer*); Motion withdrawn
Question put, "That the words, &c.;" A. 214, N. 27; M. 187 (D. L. 29)
Main Question proposed; main Question put, and agreed to; Bill read 2°

Valuation of Property (Ireland) Bill
(*Mr. William Henry Smith, Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Mr. W. H. Smith*) *Feb* 26, 1073; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 102]

Volunteer Corps (Ireland) Bill
(*Mr. O'Clery, Captain Nolan, Lord Francis Conyngham*)
c. Ordered; read 1° * *Feb* 9 [Bill 6]

Voters (Ireland) Bill
(*Mr. Butt, Mr. Maurice Brooks, Mr. Sullivan*)
c. Ordered * *Feb* 13
Read 1° * *Feb* 14 [Bill 81]

WAIT, Mr. W. K., *Gloucester*
Army—Auxiliary Forces—Adjutants, 1568

WALPOLE, Right Hon. Spencer H., *Cambridge University*
Universities of Oxford and Cambridge, 2R. 618

WALTER, Mr. J., *Berkshire*
Metropolitan Asylum District Board, Motion for a Select Committee, 752
Prisons, Comm. *cl.* 14, 1240

WARD, Dr. M. F., *Galway*
Arctic Expedition—Outbreak of Scurvy, 383
Constabulary, Ireland—Case of Constable Maloney, 826
Cruelty to Animals, Motion for an Address, 635
Prisons (Ireland), 2R. 455

WATERLOW, Sir S. H., *Maidstone*
Irish Society of London, Motion for a Select Committee, 1105, 1139
Prisons, 2R. 418

WATKIN, Sir E. W., *Hythe*
Army—Gunner Charlton, Case of, Res. 1368, 1375, 1379
Borough Magistrates—City of Exeter, 1358
Brewers' Licences, Select Committee, 1090
Prisons—Millbank—Dietary, 1209

WAVENEY, Lord
Parliament—Address in Answer to the Speech, 56

WAYS AND MEANS
MISCELLANEOUS QUESTIONS
Inhabited House Duty, 32 & 33 *Vict. c.* 14, Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer *Feb* 13, 258
Maize and Barley Malt, Question, Mr. Clare Read; Answer, The Chancellor of the Exchequer *Feb* 26, 1017

WAYS AND MEANS
Resolved, That this House will, upon Monday next, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty *Feb* 9
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 1, 1247
Moved, "That the debate be now adjourned" (*Mr. Parnell*); after short debate, Motion withdrawn; main Question, "That Mr. Speaker, &c.," put, and agreed to
Considered in Committee
£350,000 Consolidated Fund (Deficiencies, 1876-7); Resolution reported *Mar* 2
Considered in Committee *Mar* 12
1. Resolved, That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty Treasury be authorised to raise any sum of money, not exceeding £700,000, by issue of Exchequer Bonds
2. Resolved, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds
3. Resolved, That the interest of such Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof
Resolutions reported *Mar* 14
Considered in Committee *Mar* 15
£1,213,502, 6*s.* 9*d.* (Deficiencies 1876-7)
Resolution reported *Mar* 16

WESTMINSTER, Duke of
Turkey—Instructions, The, 670

WETHERED, Mr. T. O., *Great Marlow*
Vaccination—Deaths from Erysipelas, 388

WHALLEY, Mr. G. H., *Peterborough*
Admiralty Administration, Res. 1506
Carlisle Place Orphanage, 175
Constabulary (Ireland)—Assistant Inspector General, 1256
Criminal Law—Queen v. Castro, 1650, 1651, 1733, 1857, 1860, 1861
Criminal Punishments (Ireland) (Applications for Remissions), Motion for a Return, 1900
Customs and Inland Revenue—Duties on Offices and Pensions, 2R. 1733, 1734
Irish Church Acts Amendment, 2R. 350
Irish Society of London, Motion for a Select Committee, 1131
Justices Clerks, Comm. *cl.* 2, 1640
Navy—H.M.S. "Vanguard," 1772
  Naval Artillery Volunteers, 1581
Navy Estimates—Sea and Coast Guard Services, 1830
Open Spaces (Metropolis), 2R. 1194
Prisons, Leave, 133, 137, 138; Comm. *cl.* 5, 870; *cl.* 8, 883; *cl.* 10, 1220; Amendt. 1222; *cl.* 11, 1226, 1230; *cl.* 14, 1240; Motion for reporting Progress, 1245, 1246, 1247
South Africa, Military Service in, 833

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WHALLEY, Mr. G. H.—*cont.*
Supply—Agency and Consulate General at Zanzibar, &c. 1069, 1070, 1071
  Tonnage Bounties, &c. 2001
Threshing Machines, 2R. 344
Water, Storage and Conveyance of, 129
Zanzibar—Inland Routes, 391

WHITBREAD, Mr. S., *Bedford*
Loans to Urban and Rural Sanitary Authorities, 1649, 1650
Local Administration—Representative County Boards, Res. 1684
Prisons, Comm. *cl.* 8, 879; *cl.* 10, Amendt. 1220
Valuation of Property, Leave, 211

WHITWELL, Mr. J., *Kendal*
Ecclesiastical Offices and Fees, 2R. 767
Justices Clerks, Comm. *cl.* 4, 1641
Local Administration—Representative County Boards, Res. 1691
Prisons, Comm. *cl.* 5, 870; *cl.* 11, 1230
Supply—Colonial Local Revenue, &c. 1069, 1996
  Embassy Houses, 1055, 1057
  Harbours, &c. 1046
  Winchester House, Purchase of, 1051

WHITWORTH, Mr. B., *Kilkenny*
Supply—Miscellaneous Services, 2014
Turkey—Treaty of 1856, 529

WHITWORTH, Mr. W., *Newry*
Navy—Admiralty and the Russian Government, 894

WILLIAMS, Mr. W., *Denbigh, &c.*
Ancient Monuments, 2R. 1539
Metropolis—Toll Bridges, 1093

WILMOT, Sir J. E., *Warwickshire, S.*
Harbours of Refuge—North East Coast, 1758

WILSON, Mr. W., *Donegal*
Sale of Intoxicating Liquors on Sunday, Leave, 361

Winter Assizes (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Stacpoole*)
c. Ordered; read 1°* *Feb* 12 [Bill 75]

WOLFF, Sir H. D., *Christchurch*
Egypt and Abyssinia, 1572, 1850, 1851
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